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THE PRISON LIFE

OF



MICHAEL DAVITT.

RELATED BY HIMSELF.

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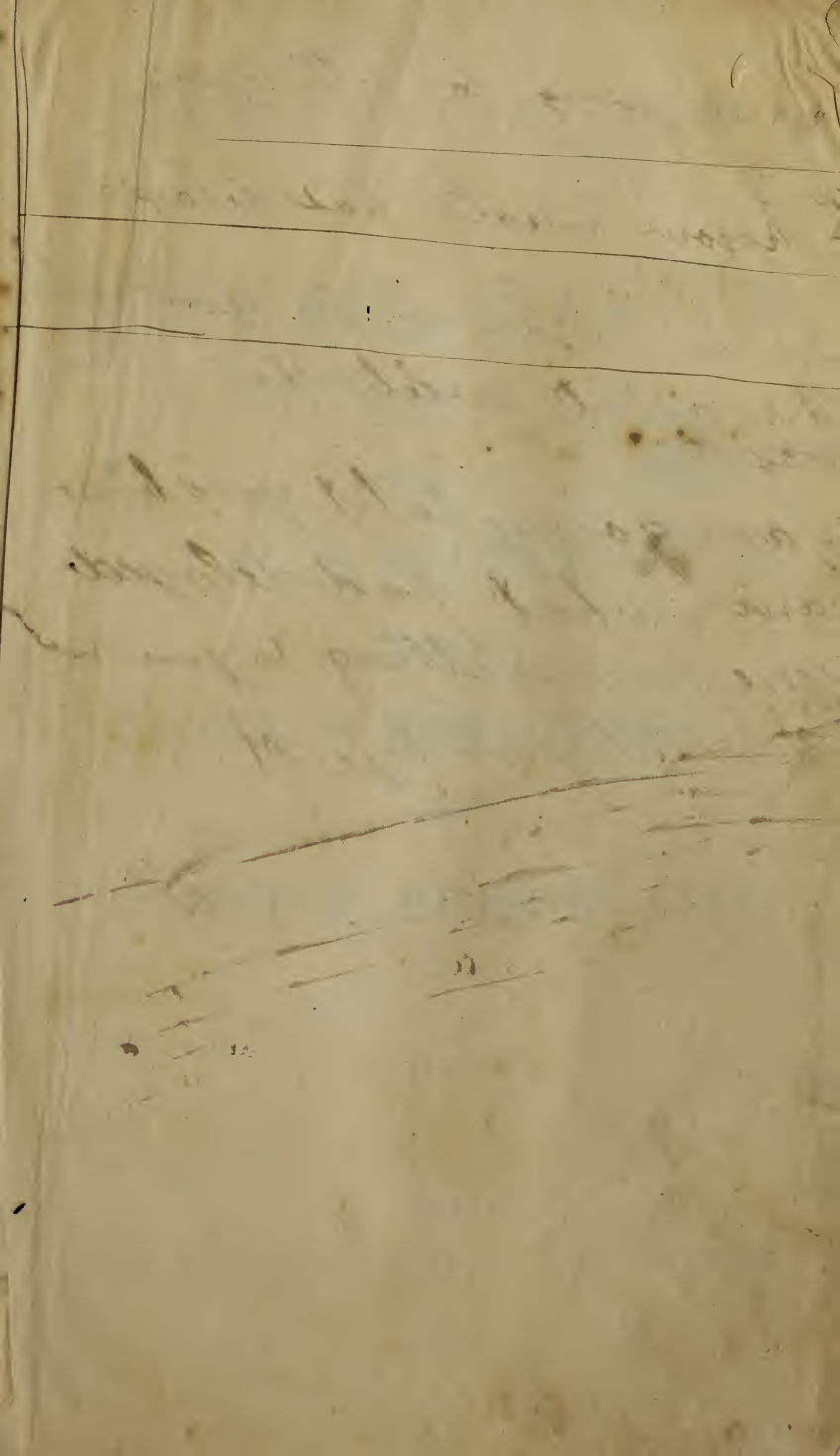
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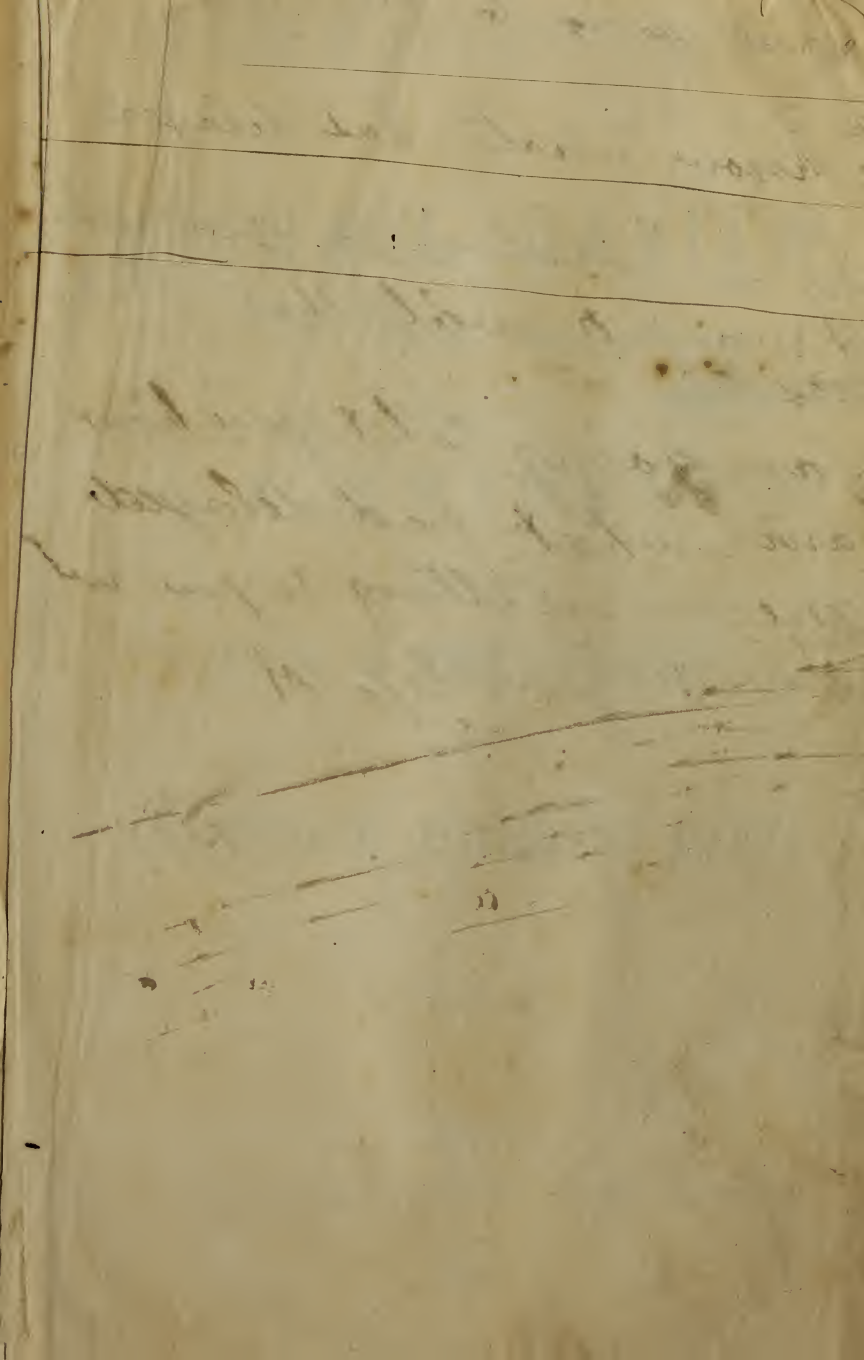
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I am going to let you

& know what has delayed

me in writing to you when
I was not well that time
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The prison life of

THE PRISON LIFE
OF
MICHAEL DAVITT,
RELATED BY HIMSELF;
TOGETHER WITH
HIS EVIDENCE
BEFORE THE
HOUSE OF LORDS COMMISSION
ON
CONVICT PRISON LIFE.

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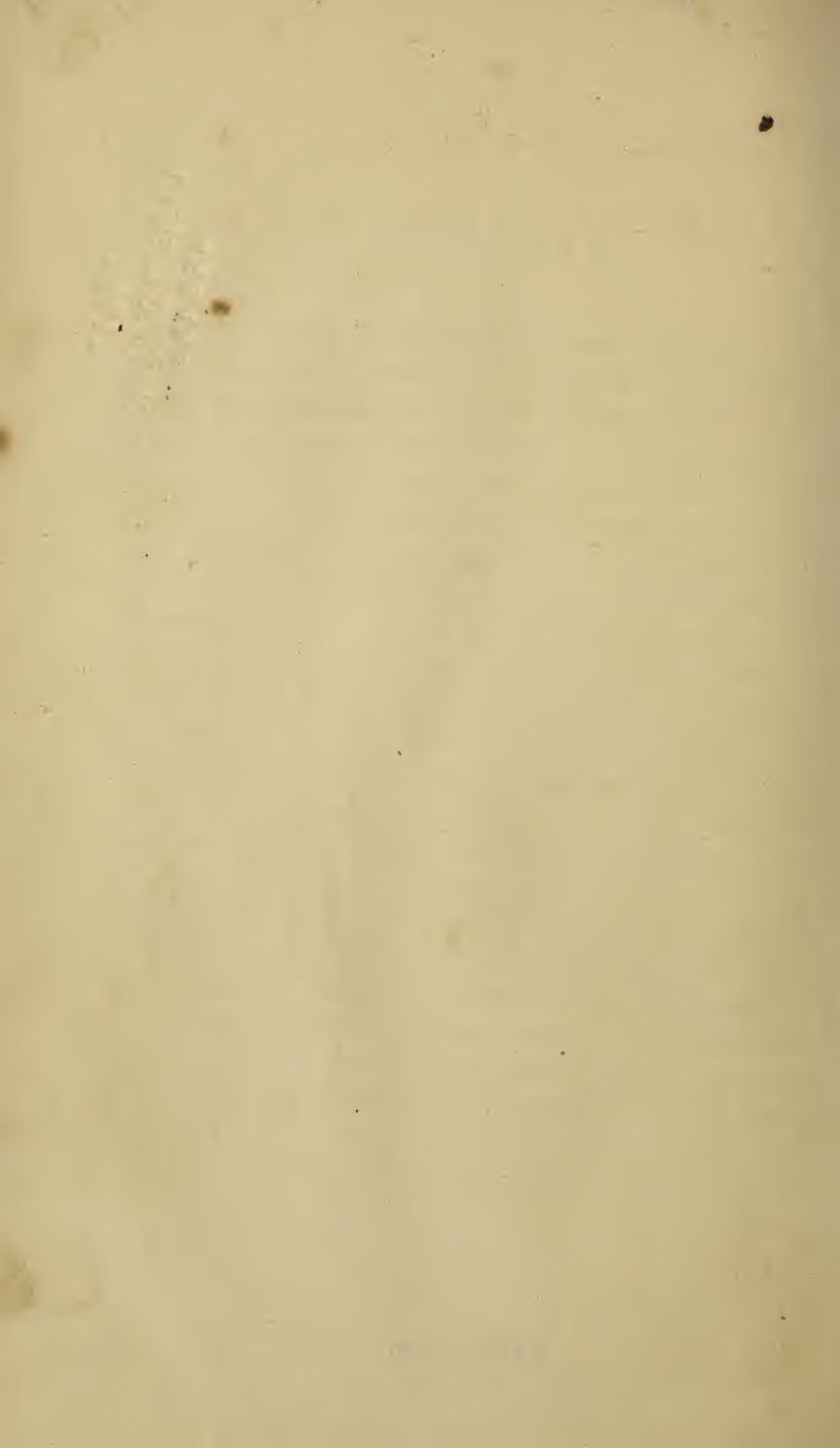
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P R E F A C E .

THE increasing interest in the fate of Michael Davitt, the heroic and illustrious "Prisoner of Portland"—an interest which has now begun to spread amongst Englishmen—renders it desirable that something more should be known about his prison experiences than is to be learned from the vague references that are made to that subject in the newspapers ; and, therefore, it is that the following pages are offered to the public. They contain Mr. Davitt's own account of his treatment in the various British convict prisons in which he was confined during the seven years and a half from 1870 to 1878, together with his evidence before the House of Lords' Commission in the latter year on British penal discipline. The story, told, as it is, in a style at once manly, earnest, eloquent, and indicative in the highest degree of the absolute truthfulness of the writer, is, especially when taken in connection with the extracts added from his utterances during the land agitation in condemnation of outrages, calculated to appeal with irresistible force to every one in whom the instincts of humanity are not entirely dead, and may, it is to be hoped, assist in undoing the cruel wrong of recommitting to the horrors of a penal dungeon one who has already suffered so much for unselfish efforts in his country's service.



THE PRISON LIFE

OF

MICHAEL DAVITT,

RELATED BY HIMSELF;

WHEN arrested here in London on the 14th May, 1870, I was taken to the Paddington Police Station, and underwent the customary questioning, searching, and other preliminaries to a "lodgings in a lock-up."

From Saturday night until Monday morning I was confined in an almost darkened cell, in which was a water-closet with its inseparable offensiveness.

I was allowed neither bed nor bedding and had consequently no sleep during the time I remained in the station, from Saturday till Monday. I was allowed but a little light only when eating my meals.

On my arrival in Clerkenwell House of Detention, after the examination before the Marylebone Police Court magistrate, I was immediately stripped naked and compelled to undergo the indignity of being searched, in a manner almost too disgusting to describe.

Each article of dress was minutely examined by one warder, while another was employed in watching lest I should resent the insult to which I was subjected in being made to stand naked in presence of the two warders, one of whom was coolly satisfying himself that I had nothing concealed upon my person.

After each of the five or six examinations I underwent

before the magistrates, previous to being committed for trial, I had to submit to the same searching, in the state of nudity I have described, on arriving in the House of Detention.

The first time the governor visited me in my cell he inquired what I was arrested for, and on my answering that I was taken on suspicion of being a Fenian, he replied, "I don't care what you are, you must clean those traps (pointing to water-closet taps and other utensils in the cell) while you remain here," and during my confinement there I was compelled to do so, as also to clean my cell floor and windows. I was only allowed one hour each day for exercise, and of course not permitted to speak to anyone.

There were none but religious books allowed me during my stay in that prison.

The bedding was the worst and scantiest I have seen during my whole imprisonment, being nothing but a dirty blanket and rug, and a bare, unmattressed hammock.

Having paid for my own keep while awaiting trial, I cannot speak as to the quantity or quality of the food supplied to prisoners in Clerkenwell.

From my recollections of the place, I can assert that undue severity was exercised there on men arrested upon suspicion, and that the police authorities had, in my opinion, too much control over the management of the prison, and exercised that power in a manner calculated to injure the chances of a prisoner obtaining a fair and impartial trial.

When the informer, Corrydon, was brought to identify me, I was taken from the cell in which I was located and marched along the ward in sight of the informer and detectives who accompanied him, and placed in a cell for identification. The informer was then supposed to look through the inspection hole of each cell in the ward to find me, and after being permitted to see me taken out of one cell and put into another, it was not a very brilliant achievement, even for John Joseph Corrydon to find me in the cell he saw me enter. In

addition to this, I may be pardoned for detailing another incident which occurred, and which I believe contributed not a little to my conviction.

A few days previous to being committed for trial I drew up instructions for my solicitor as to the mode of my defence, and this I had done in exact accordance with the rules suspended in my cell, which rules also specified that such instructions could be handed by prisoners to their legal advisers without previous inspection by the governor or other prison officials.

When my solicitor's clerk visited me for the purpose of receiving those instructions I handed him the envelope containing them in the presence of the warder who was present at the interview, and who had brought me from my cell to the visitors' or solicitors' room.

Two days afterwards I was again visited by my solicitor's clerk, and astounded to hear that the governor had demanded my letter after the previous visit, as the officer had reported that he saw me draw a plan of the prison upon a piece of paper and give the same to the clerk!

When I saw the governor on the following morning I demanded an explanation of this strange proceeding, and had to remain satisfied with being told that it was the officer's fault, and that if I had no objection to his (the governor's) reading my letter it would be given to my solicitor. I replied that I had not the least objection, owing to what the officer had reported, but that I protested against the whole proceeding as unfair, and directly opposed to the rules hung up in my cell.

Now mark what transpired within those two days. A sensational paragraph had appeared in one of the London dailies announcing that another plot had been discovered to blow up the House of Detention, and that on this occasion it would be attempted from within the prison!

It is unnecessary to say what effect this would have upon the public mind, and how small the chance would be of my obtaining an unprejudiced jury and an impartial trial in London after this. Two great points had, by

this heartless canard, been made against me ; the plan of my defence had been discovered, and the public feeling directed adversely towards me owing to the report that I had intended to effect another explosion.

I regret being compelled, in the interests of truth, to relate anything that may reflect upon the want of Christian charity exhibited by ministers of religion in prisons ; but as I purpose "nothing to exaggerate nor aught set down in malice," neither do I intend to withhold anything that may assist in exposing the harsh and vindictive manner in which Irish political prisoners are treated under cover of a falsely-termed "humane" system of imprisonment.

A few days after my arrival in Clerkenwell I was surprised to see my cell door cautiously opened, and observed the head alone of the prison chaplain inserted, and hear him ask me in well-feigned accents of fear, "You won't kill me if I come in, will you?" I replied that I was not capable of killing anyone, but my friendly (?) visitor assured me he would not trust himself in my company, observing, "The papers say you are one of those desperate Fenians, and I fear you might murder me."

If this reverend gentleman had not "visted the imprisoned" in the spirit of the injunction of his Master, he had at least fulfilled his duty to a system that considers charity in a prison as a crime, and which looks upon a kind expression with disfavour.

John Wilson, the Birmingham gunsmith, who was arrested with me, was also a fellow-prisoner of mine in Clerkenwell, and treated in a similar manner to myself in regard to cleaning cells, exercise, &c. We would not be allowed to come near each other.

It would of course be somewhat out of place to introduce here an account of how poor Wilson and myself were convicted, but I may be permitted to say again what I conscientiously declared to Lord Chief Justice Cockburn when I was about to be sentenced, that Wilson was innocent of the crime of misprision of treason

for which he was found guilty, and that his sentence was a gross miscarriage of justice.

However, this English artisan has undergone five years and a half of penal servitude, and was sentenced to and underwent part of this while John Bright was a Cabinet Minister and Mr. Gladstone Premier of England.

NEWGATE.

I WAS removed from Clerkenwell to Newgate on the 14th of June and, after one month's experience of the former place, the change could not be otherwise than agreeable.

Newgate is the only prison I have been in where the fact of my offence being an Irish political one did not cause my punishment to be the more severe on that account.

The governor, chaplain, and subordinate officials appeared to me desirous of performing their duties without being in any way actuated with a wish—but too prevalent in the other prisons I have been in—to make the burden of misfortune press heavier on the unfortunate people committed to their charge.

In food, bedding, cleanliness, and in every other respect, Newgate was much preferable to my former place of confinement. I was allowed an hour and a half's exercise each day, as were also all the other prisoners confined there. Cells had to be cleaned, utensils polished, and searching undergone, as in Clerkenwell; but the performance of those tasks, and the ordeal of being stripped and searched, was considerably less humiliating in Newgate. There was no service for Catholic prisoners in 1870.

My trial commenced on the 5th of July, and at six o'clock in the evening of the 18th, I was sentenced to fifteen years' penal servitude, and poor Wilson to seven. Immediately after sentence I was deprived of my clothes and put in convict uniform, my hair and beard being

cut close at the same time. I remained in Newgate but eleven days after receiving my sentence, and in that short period I was being initiated into the reality of penàl servitude.

My work, however, was not very heavy, nor otherwise disagreeable; but the classification with thieves had already commenced, and the prospect of spending perhaps fifteen years in such company made Newgate then appear—what in comparison with other prisons it is not—a veritable Inferno.

On the 29th of July I was removed to Millbank, and saw Wilson for the last time on that day. If my prayers could have spared him the sufferings he has since undergone, I would have left Newgate with a much lighter heart. Chains were fastened round my ankles in such a manner that I could only stride some twelve or fifteen inches when walking, and, to ensure my offering no resistance, I was compelled to hold the end of the chain with which my feet were bound. Thus dressed and manacled, and guarded by a couple of warders, I was driven from Newgate along the Thames Embankment to Millbank penitentiary. Not quite three months had yet elapsed since I had walked that promenade free and unfettered, without any foreboding of what fate had in store for me; and now I was only allowed, by the necessity of my removal from one prison to another, to look upon that scene for a few moments, and imprint upon my memory the liberty it portrayed and the life from which I was to be debarred for years. To leave the broad and cheerful light of day and be immured in a solitary cell—to exchange the social amenities of life, home, country, and friends for an existence undreamt of by those who know not what a world of suffering is comprised in the meaning of the words “solitary confinement”—is a feeling impossible to be expressed in words. John Mitchel has attempted to record his own sensations when, after sentence for treason-felony, he found himself in “solitary” for the first time :—

“It came at last; my door was shut, and for the

first time I was quite alone. And now I do confess that I flung myself upon my bed and broke into a raging passion of tears—tears bitter and salt; but not of base lamentation for my own fate. The thoughts and feelings that have so shaken me for this once language was never made to describe.”

This is the testimony of one whose proud soul had never acknowledged its susceptibility to the common weakness of humanity, but solitary confinement wrung tears from Mitchel! The vagrant sunbeam that finds its way to the lonely occupant of a prison cell but speaks of the liberty which others enjoy, of the happiness that falls to the lot of those whom misfortune has not dragged from the pleasures of life. The cries, the noise, the uproar of London which penetrate the silent corridors and re-echo in the cheerless cells of Millbank, are but so many mocking voices that come to laugh at the misery their walls enclose, and arouse the recollection of happier days to probe the wounds of present sorrow. And if, despite all this, a prisoner should try to raise himself above those depressing influences, and cheat despair of its prey, he will then experience how far man can go in his inhumanity to man by finding himself denied the only consolation left him in his utter loneliness—the solace of solacing himself. He will find men who will watch for a smile or some other sign of a happy obliviousness, and then, by some of the many arts practised for the purpose, end the momentary forgetfulness of imprisonment by an exercise of the almost uncontrolled power they wield over their unfortunate charges.

MILLBANK.

ON my arriving in Millbank I was immediately stripped naked, and had again to submit to a most revolting search of my body. This surpassed in its utter disregard to every feeling of common decency

anything I had yet undergone. I was made stoop while in a state of nudity and place myself in all the postures the searching warder desired to put me in. After this disgusting and almost maddening ordeal was gone through, I was then conducted to the cell in which I was to be located.

To relate every incident of my ten months' incarceration in Millbank penitentiary would only be a tedious repetition of each day's experience, so uniform is the system of punishment in that prison.

A description of the cells, together with an account of the daily routine and work that had to be done, will suffice to form some idea of what punishment has to be borne in what is termed "probation class." The cells are some nine or ten feet long, by about eight wide. Stone floor, bare whitewashed wall, with neither table nor stool, and of course with no fire to warm by its cheerful glow the oppressing chilliness of such a place. My bedstead was made of three planks laid parallel to each other at the end of the cell, and raised from the stone floor but three inches at the foot and six at the head of this truly lowly couch. The only seat allowed me was a bucket which contained the water supplied me for washing purposes—this bucket having a cover so as to answer the double purpose of waterholder and stool. The height of this sole article of furniture allowed me was fourteen inches exactly, including the lid, and on this "repentance stool" I was compelled to sit at work, ten hours at least each day for ten months.

The punishment this entails upon a tall man can be easily conceived. The recumbent posture and bent chest necessary while picking oakum, with nothing to lean one's back against to obtain a momentary relief, is distressing in the extreme. The effect upon me, in addition to inducing a weakness in my chest, was singular, but not surprising.

On entering Millbank my height was exactly six feet as measured by the prison standard for that purpose, but on my departure for Dartmoor ten months after, I had illustrated the saying that some people can grow

downwards, as I then measured but five feet ten and a half inches.

The bedding supplied was miserably insufficient during the Winter months ; and owing to this, and the sitting posture during the day, with feet resting upon cold flags, with no fire, and with a prohibition against walking in the cell, many prisoners have lost the use of their limbs from the effects of a Millbank Winter. But one hour's exercise in the prison yard was allowed each day, and that was forfeited if the weather proved unfavourable. Owing to my health beginning to break down, I was permitted an extra half hour's exercise after I had been eight months in the prison. This was granted by the doctor's orders.

I had to rise at six each morning, fold up my bed very neatly, and afterwards wash and scrub my cell floor quite clean with brush and stone used for that purpose. This washing and scrubbing was, I need scarcely remark, very distressing upon me, owing to my physical infirmity, but I was compelled to do it nevertheless once each day during the whole term of my imprisonment. After cells were cleaned in the manner I have described, work was then commenced, and continued until a quarter to nine at night, allowing of course for meals, exercise, and prayers in chapel each morning.

The work I was put to in this prison was coir and oakum picking. I was not tasked, but I had to sit working all day and pick a reasonable share of my coir or oakum, as the case might be. When I inquired on being first ordered to this sort of work, how I could possibly do it with but a limited number of fingers at my disposal, I was told by the warder that he had known several "blokes" with but one hand who had managed to pick oakum very well with their teeth. As I declined to use my teeth to tear old ropes to pieces, I had to do the work as best I could.

In going to and from the chapel, and during exercise, all prisoners were compelled to walk in single file, and talking was, of course, strictly prohibited.

During the whole of my stay in Millbank my conversation with prisoners—at the risk of being punished, of course—as also with warders and chaplains, would not occupy me twenty minutes to repeat, could I collect all the scattered words spoken by me in the whole of that ten months.

I recollect many weeks going by without my exchanging a word with a single human being.

The food allowed me for daily rations was as follows: Breakfast, eight ounces of bread, and three-quarters of a pint of cocoa ; dinner, four ounces of meat (including bone), four days a week, with six ounces of bread and a pound of potatoes ; one day in the week I was allowed a pint of shins of beef soup in lieu of meat, and on another one pound of suet pudding, ditto. Dinner on Sunday was twelve ounces of bread, four ounces of cheese, and a pint of water ; and for supper each night I received six ounces of bread and a pint of “skilly,” containing, or rather supposed to contain, two ounces of oatmeal.

This was the ordinary prison allowance.

After subsisting for three months on this diet, I applied to the doctor for a little more food on the ground that I was losing weight owing to the insufficiency of the quantity allowed, but my application was of no avail.

The books supplied me while in Millbank were almost exclusively religious, and but one library book was allowed to each prisoner in a fortnight.

I asked to have mine changed once a week, but was promptly told I could not be favoured beyond other prisoners. The class of books supplied to the Catholic prisoners was such as would be suitable to children, or people ignorant of the truths of the Catholic faith.

I had often no book to read but one that might answer the requirements of a child, such as the history of “Naughty Fanny,” or “Grandmother Betty,” and like productions, which, though doubtless good in their way, were not what could lessen the dreary monotony of such an existence.

A circumstance in connection with the situation of Millbank may (taken with what I have already said on that prison) give some faint idea of what confinement there really means. Westminster Tower clock is not far distant from the penitentiary, so that its every stroke is as distinctly heard in each cell as if it were situated in one of the prison yards. At each quarter of an hour day and night, it chimes a bar of the "Old Hundreth," and those solemn tones strike on the ears of the lonely listeners like the voice of some monster singing the funeral dirge of Time.

Oft in the silent watches of the night has it reminded me of the number of strokes I was doomed to listen to, and of how slowly those minutes were creeping along! That weird chant of Westminster clock will ever haunt my memory, and recall that period of my imprisonment when I first had to implore Divine Providence to preserve my reason and save me from the madness which seemed inevitable through mental and corporal tortures combined.

That human reason should give way under such adverse influences, is not, I think, to be wondered at; and many a still living wreck of manhood can refer to the silent system of Millbank and its pernicious surroundings as the cause of his debilitated mind.

It was here that Edward Duffy died, and where Richard Burke and Martin Hanly Carey were for a time oblivious of their sufferings from temporary insanity, and where Daniel Reddin was paralysed. It was here where Thomas Ahearn first showed symptoms of madness, and was put in dark cells and strait-jacket for a "test" as to the reality of these symptoms. Ten years have passed their long and silent courses since then, but that same Thomas Ahearn is still a prisoner, and his mind is still tottering on the brink of insanity. I have anxiously watched him drifting towards this fate for the past six years, unable to render him any assistance, and I can predict that if he is not soon liberated he will exchange Dartmoor for Broadmoor Lunatic Prison, like so many other victims of penal servitude.

As I shall have to speak pretty frequently in the course of these remarks of the conduct of warders towards prisoners over and above the duty they have to perform in their punishment, I will conclude my account of Millbank with a specimen of the "practical jokes" they amuse themselves with at the expense of their charges whenever a fitting opportunity offers itself for indulging in this amusement.

It might appear incredible that any man, no matter what his calling might be, could take delight in aggravating misery by playing upon a fellow creature who is almost crushed with a load of punishment each hour in the day ; but such men do exist, and I have had good reason to know it. On the 25th May, 1871, I was at my usual employment in my cell when the warder—a man named Austin, if I recollect aright—opened my door, and told me (after many cautions against my telling anyone as to who was my informant) that he had just heard of my pardon having reached the prison from the Home Office, and that I was to be discharged on the following day. He told me this with such well-feigned looks of pleasure at having good tidings to communicate that I never doubted the truth of it for a moment.

Moreover, it was the Queen's birth-day, and had not some of the political prisoners been amnestied a few months previously ? What more likely than my own discharge now ?

I remember trying to express my thanks to the "kind" fellow who had lifted me from the depths of my sufferings by this good news, as he was leaving my cell, and then falling on my knees in heartfelt prayer to God for this deliverance from long years of suffering but too likely to end in a felon's grave, and for my speedy restoration to my family. Five o'clock in the evening came at last, my cell door was flung open, and I was ordered to lead towards the entrance quarter of the prison, now thoroughly convinced that a few moments more would see me outside—a free man.

I walked the gloomy corridors, I need scarcely remark, with a light heart, conjuring up all the felicities in store

for me in the lap of liberty, when, on turning an angle of a ward, I was brought up face to face with a couple of warders dressed and armed for a journey.

The truth flashed upon me in a moment. I was to be "discharged" from Millbank sure enough, but only to exchange it for a far worse place—Dartmoor!

A few moments sufficed to put me in a convict's working smock, fasten a handcuff on my wrist, and hear the principal warder admonish me that I would be placed under stricter surveillance where I was going, and that if I disobeyed orders there I would be punished more severely than a common prisoner.

I endeavoured to hide the effects of this shock, and cheat my "good friends" of the pleasure they had anticipated at my expense, but I fear only partially succeeded.

Thus ended my experience at Millbank, as I was immediately conducted to the Paddington Railway Station and conveyed to my next abode in charge of the armed warders. Twelve months and twelve days had elapsed since I had been arrested at that very station, and in that short period I had undergone an amount of mental suffering and anxiety which I thought at that time I would never live to record.

DARTMOOR.

IF the whole United Kingdom was searched through for the purpose of discovering a place whereon to erect a prison, with the view of utilising the rigours of a severe climate, damp fogs, more than average rainfall, and a lengthened Winter season, with all that was desolate and uninviting in the aspect of nature, to assist in the punishment of prisoners, no more suitable place than Dartmoor could be found if a procrustean spirit guided the search. Buried in the midst of barren and boulder strewn Devonshire moors, it is peculiarly adapted for an abode of misery. It was here where the French and

American prisoners of war were incarcerated during the wars with the first Napoleon and rebel America, and many a gallant foe of England's there sank beneath the hardships of the climate and the treatment he received.

The chivalrous Lord Dundonald denounced the Government of the day, in the strongest terms, for confining brave and honourable enemies in such a place ; "enveloped," as he declared from observation, "in almost perpetual fog."

Well, Governments were no more indifferent in those days to the inhuman treatment of their fallen foes than in more modern, and I shall say more humane (?) times ; but now, as then, there are a few generous-hearted Englishmen to be found courageous enough to say they do not glory in this, the shame of England ; and that, whether cannons are charged with foes in India, enemies tied to trees and fired at for practice in Jamaica, or the youth of Ireland done to death by penal servitude in England's prisons, it is a disgrace to any country boasting of its civilization, and repugnant to the generous instincts of humanity.

It would be impossible for me in the limited time at my disposal to detail every circumstance connected with my six years and six months' confinement in Dartmoor ; I can, therefore, only dwell upon the most prominent incidents connected with my treatment during that period, by a simple statement of facts as to what that treatment was.

For the first week after my arrival from Millbank, I was located in the penal cells, and had to make application for removal from same into some other part of the prison. The penal cells, or rather some of them, are much preferable to the ordinary or iron cells, being somewhat larger and much better ventilated ; but, owing to their being constructed and set apart for incorrigible prisoners—men who are taught obedience by means of starvation, and consequently maddened by hunger and cold—it is almost impossible to obtain any sleep in such a place. I will have more to say anent

these cells by-and-by, as I was confined in them from August, '76, until November, '77. The iron or ordinary cell I was next located in, and remained an inmate of for close on five years, I will now describe. So much attention having been directed to these veritable iron cages by the exposure of poor M'Carthy's treatment, and his confinement in such cells, I purpose giving an accurate description of them, and removing any doubts, if such exist, as to the account already given of their size, construction, and ventilation.

The dimensions of one of them will answer for that of the whole, as they are uniform in almost every respect. Length, seven feet exactly; width, four feet; and height, seven feet one or two inches. The sides (or frames) of all are of corrugated iron, and the floor is a slate one. These cells are ranged in tiers or wards in the centre of a hall, the tiers being one above another to the height of four wards, the floors of the three upper tiers of cells forming the ceilings or tops of those immediately beneath them. Each ward or tier contains in length forty-two cells, giving a total of 168 for one hall. The sole provision made for ventilating these cells is an opening of two and a half or three inches left at the bottom of each door. There is no opening into the external air from any of those cells in Dartmoor, and the air admitted into the hall has to traverse the width of the same to enter the hole under the cell doors. In the cells on the first three tiers or wards there are about a dozen small perforations in the corner of each for the escape of vitiated air; but in those on the top or fourth ward—or, speaking more confidently, in those on that ward in which I was located a portion of my time—there were no such perforations—no possible way of escape for foul air except where most of it entered as “pure”—under the cell door! In the heat of summer it was almost impossible to breathe in these top cells, so close and foul would the air become from the improper ventilation of the cells below, allowing the breathed air in each cell to mix with that in the hall, and thus ascend to the top.

In addition to this, if a prisoner has a call of nature between eight at night and five in the morning, he is compelled to use a utensil in his cell, and leave it there all night, as prisoners are not allowed out of their cells for any purpose during those hours. The division between each cell is but the thickness of the iron frame of the same, and consequently when an occurrence of that kind happens, which, owing to the nature of the food, it does very frequently, the fact is made known by a nassal telegram, almost over the whole ward, announcing an addition to the already over-tainted atmosphere. I have often been next cell to a man suffering from mephitis or stinking breath, and had to endure the frightful torture of inhaling his poisonous respirations. I on one occasion begged the governor of Dartmoor to remove me from such a situation, for the additional reasons to those I have given that I had not sufficient light to read in the cell I was in, but I begged in vain. I was, however, soon after removed to a lower tier, after foul eruptions began to break out upon my body through the impure air I had been breathing. It has been denied by Chatham prison officials that Charles M'Carthy ever slept with his bed across the inside of his cell door in order to catch sufficient air to breathe. From my own experience I can fully believe the necessity of his doing so, as it was quite common in Dartmoor for prisoners to sleep with their heads towards the door for a similar reason; and I have often in the Summer season done this myself, and had repeatedly to go on my knees and put my mouth to the bottom of the door for a little air.

The light admitted to those ordinary iron cells is scarcely sufficient to read by in the day time, and should a fog prevail it would be impossible to read in half of them. The cells are fitted with a couple of plates of thick intransparent glass, about eighteen inches long by six inches wide each, and the light is transmitted through this "window" from the hall, and not from the exterior of the prison.

I have often laid the length of my body on the cell

Michael

floor, and placed my book under the door to catch sufficient light to read it. For the 168 cells in the hall I am speaking of there are but two water-closets, and the soil from that number of men is kept in tubs, that are used instead of ordinary closets, and in which it cannot be washed away as in the latter. It is preserved in those tubs for manuring purposes, and they are emptied every other morning only. From Saturday at noon until Monday morning the accumulated filth from the whole hall is kept in those tubs, and the stench arising from this on a Sunday evening is abominable. From May, 1876, until the following August, I was located in cell No. 122, Ward No. 3—a hall immediately opposite one of those tub closets, but twelve feet distant from where I had to eat my meals and sleep if I could. I repeatedly asked the officer in charge of the hall to remove me a few cells higher up the ward ; but the cell had been selected for me, as I had to be strictly watched, and therefore I was not removed. The food in Dartmoor prison I found to be the very worst in quality and the filthiest in cooking of any of the other places I had been in. The quantity of daily rations was the same as in Millbank, with the difference of four ounces of bread more each day and one of meat less in the week. The quality, as I have already remarked, is inferior to any other prison, but from about November till May it is simply execrable, the potatoes being often unfit to eat, and rotten cow carrots occasionally substituted for other food. To find black beetles in soup, “skilly,” bread, and tea, was quite a common occurrence ; and some idea can be formed of how hunger will reconcile a man to look without disgust upon the most filthy objects in nature, when I state as a fact that I have often discovered beetles in my food, and have eaten it after throwing them aside, without experiencing much revulsion of feeling at the sight of such loathsome animals in my victuals. Still, I have often come in from work weak with fatigue and hunger, and found it impossible to eat the putrid meat or stinking soup supplied me for dinner, and had to return to labour again after “dining” on six ounces of bad bread.

It was quite a common occurrence in Dartmoor for men to be reported and punished for eating candles, boot oil, and other repulsive articles ; and notwithstanding that a highly offensive smell is purposely given to prison candles to prevent their being eaten instead of burned, men are driven by a system of half starvation into an animal-like voracity, and anything that a dog would eat is nowise repugnant to their taste. I have seen men eat old poultices found buried in heaps of rubbish I was assisting in carting away, and have seen bits of candles pulled out of the prison cesspool and eaten, after the human soil was wiped off them !

The labour I was first put to was stone-breaking, that being considered suitable work for non-able-bodied prisoners. I was put to this employment in a large shed, along with some eighty or ninety more prisoners, but my hand becoming blistered by the action of the hammer after I had broken stones for a week, I was unable to continue at that work, and was consequently put to what is termed "cart labour."

This sort of work is very general in Dartmoor, and I may as well give some description of it.

Eight men constitute a "cart party," and have an officer over them, armed with a staff if working within the prison walls, and with a rifle, and accompanied by an armed guard, if employed outside. Each man in the cart party is supplied with a collar, which is put over the head and passes from the right or left shoulder under the opposite arm, and is then hooked to the chain by means of which the cart is drawn about.

The cart party to which I was attached was employed in carting stones, coals, manure, and rubbish of all descriptions. In drawing the cart along each prisoner has to bend forward and pull with all his strength or the warder who is driving will threaten to "run him in" or report him for idleness. It was our work to supply all parts of the prison, workshops, officers' mess-room, cook house, &c., with coals, and I was often drawing these about in rain and sleet, with no fire to warm or dry myself after a wetting. I was only a few months at

this sort of work, as I met with a slight accident by a collar hurting the remnant of my right arm, and was, in consequence of this, excused from cart labour by the doctor's order.

I was again set to breaking granite, and remained at that job during the winter of '70-71.

I may remark that in June, when I was first put stone-breaking, I was employed in a shed, but during the winter I was compelled to work outside in the cold and damp foggy weather. I was left at this work until spring, and was then removed to a task from the effects of which I believe I will never completely recover. My health on entering prison was excellent, never having had any sickness at any previous period of my life. The close confinement and insufficient food in Millbank had told of course on my constitution, though not to any very alarming extent; but the task I was now put to laid the germs of the heart and lung disease I have since been suffering from. This task was putrid bone-breaking.

On the brink of the prison cesspool, in which all the soil of the whole establishment is accumulated for manure, stands a small building some twenty feet long by about ten broad, known as the "bone shed."

The floor of this shed is sunk some three feet lower than the ground outside, and is on a level with the pool which laves the wall of the building. All the bones accruing from the meat supply of the prison were pounded into dust in this shed, and during the summer of '72 (excepting five weeks spent in Portsmouth prison) this was my employment. These bones have often lain putrefying for weeks in the broiling heat of the summer sun ere they were brought in to be broken. The stench arising from their decomposition, together with the noxious exhalations from the action of the sun's rays on the cesspool outside, no words could adequately express—it was a veritable charnel house. It will be noted that I was at work outside the previous winter, and when the bright days and summer season came on I was put in a low shed to break putrefying bones! The

number of prisoners at this work varied from thirty to six, and I may remark that the majority of these were what are termed "doctor's men," or prisoners unable to perform the ordinary prison labour. When all the bones would be pounded, we would then be employed in and around the cesspool, mixing and carting manure, and at various other similar occupations.

I made application to both the governor and doctor for removal from this bone-breaking to some more congenial task, but I would not be transferred to any other labour. After completing a term of my imprisonment which entitled me to a pint of tea in lieu of "skilly" for breakfast, I was then removed to a hard labour party, as, owing to my being an invalid, or "doctor's man," I could not claim the privilege of this slight change in diet without becoming attached to some hard labour party—invalids, or "light labour men," not being allowed tea at any stage of their imprisonment.

I very willingly consented to a heavier task in order to be removed from the abominable bone-shed, in which I had worked and sickened during the summer.

My employment after this was various, drawing carts, bogies laden with stone, slates, &c., delving and shifting sand, at which work I was in the habit of using a pick and shovel (though not, I must fairly admit, *compelled* to do so), as the extreme cold made it necessary in order to keep myself from being congealed.

I was next employed in winding up stones at an iron crank, during the building of an additional wing to the prison, and this was, beyond doubt, the heaviest work to which they could have put me. A crank party consisted of four men, and my being one of the four compelled me to perform as much work as either of the others, as the task would fall heavier upon them otherwise. This employment was occasionally diversified with "spells" at mortar-making, water-carrying for same, sand-shifting, cement-making, and various other jobs, among which carrying slates to the roof of the new prison was one—not, of course, up a ladder, but by a steep incline.

I may remark in passing that three prisoners lost their lives while this building was going on, and in my opinion those accidents were attributable to the ignorance of scaffolding arrangements shown by the warders appointed to superintend them. Inquests were held, of course, *inside* the prison, but I never learned that any intelligent prisoner was called upon to give evidence, nor what verdicts were given by what the prisoners in Dartmoor call "the standing jury." I may add also that my friend, Mr. Chambers, fell from a scaffolding at the same building, and on the principle that "a man who falls deserves to be kicked for falling," he was taken to the punishment cells instead of to the infirmary, and turned out to work again the following day.

When my services as a mason's labourer were no longer required, I was once more put to the old job of stone-breaking, and remained thereat from about the latter part of '73 until August 1876.

During the long winters of those years I was thus employed in part of the prison yard known to be the coldest place within the walls, where the north-east wind—so prevalent during Dartmoor winters—blew in my face without my having the slightest shelter from its cutting blast, or any means of keeping my freezing blood in circulation except by the plying of my stone-breaking hammer. When snow had fallen during the night I would have to clear it away from the heap of stones in the morning and smash away as usual. So excessively cold and long are the Dartmoor winters that during the past few years the prisoners have had to be supplied with small bags made of the same material as their clothing by which to shield their hands from frost-bite and chilblains. Without some such provision to protect them from the effects of the severe cold, little or no outside work could be done by the prisoners.

I made application to the governor for some inside labour in winter time, but all requests of mine for change of task were invariably refused, and I had to await unforeseen circumstances to effect what would not otherwise be granted me. An event of this nature saved me from

a fourth winter's campaign amidst granite and snow ; but as a " compensation " for this relief it entailed very much heavier work, and caused me to be placed under special surveillance and located in penal cells for the remainder of my imprisonment.

This event was what has been called " the unconstitutional amnesty " of Western Australia.

After this I was not considered safe, as I could have been seen at my stone-breaking in the prison yard by any mischievous people who might hold anti-ticket-of-leave notions on my account. I was therefore removed to the prison wash-house—a place securely situated in the very centre of the prison, and free from all apprehensions of a " surprise." A wash-house is a place where it might be thought I could not earn my skilly ; but, without boasting of having distinguished myself in the capacity of a " washerwoman," or built a reputation in the art of bleaching, I can say, without fear of contradiction from the prison officials, that my work there was the heaviest of any prisoner employed in the wash-house. Another prisoner and myself were told off to the wringing-machine, in which linen, &c., for a thousand men, and washings for officers' mess and rooms, &c., had to be wrung each week, with flannels and sheets for same number once a fortnight and month respectively in addition. My assistant on this machine was changed every week, as men—able-bodied men—had been reported for refusing to remain constantly at such heavy labour ; but as I was physically unable to wash the linen I was compelled to turn the machine as my principal occupation. The machine being made with a couple of handles I had to turn as much as my assistant, and very often more, if he proved an idle one. I was considerably reduced in weight while at this employment (which lasted until my release on the 19th of December last) from the amount of sweating it entailed, especially during the Summer months, and the heavy nature of the work.

My weight a week after my liberation was but nine stone four pounds, including my clothes, or some eight

stone ten pounds without—not, I think, the proper weight for a man six feet high, and at the age of thirty-one. In addition to turning the wringer, I had to sort my share of the dirty linen each Monday morning, and, singularly enough, the infirmary portion was part of my share, and I had consequently to handle the articles worn by prisoners suffering from all manner of skin diseases and other disgusting afflictions.

This will finish the necessarily brief account of my various employments in Dartmoor, and with a description of the daily searchings I was subject to will conclude my narrative of ordinary treatment while a prisoner. I will then briefly relate my exceptional punishment as a political prisoner, and adduce proofs that this treatment was more severe than that of ordinary malefactors, unmerited by my conduct as a prisoner, and therefore contrary to the prison rules I was compelled to observe to the very letter. Each prisoner is searched four times each day—Sunday excepted—by the officers under whom they are employed, and liable, in addition to this, to be stripped naked, and subjected to a minute and disgusting examination : or, as it is more properly termed in prison slang, “turned over,” whenever an officer wishes to do so. I was searched four times each day in common with other prisoners, and had in winter and summer alike to open my jacket and vest, take off my cap, hold out my hand at arm’s length, and stand in this manner in the open air, and allow a warder to run his hands from my neck downwards over my body to satisfy himself I had nothing concealed upon my person.

I was also at regulated intervals taken with other prisoners into a part of the prison where we had all to strip in presence of each other and be minutely searched, but not compelled to strip beyond the shirt. This often occurred in the depth of winter, and I had to stand in this plight while an officer was carefully examining every article of my dress, after having rubbed his hands over my body and made me open my mouth to assure himself I had nothing contraband upon me. I was

never exempt from any of these searchings during the whole of my imprisonment.

The charge has often been made against the Government that the Irish political prisoners were treated with greater severity and subjected to more indignities than ordinary malefactors, and both Ministers and Government organs have as often denied the truth of these allegations. I will allow facts to substantiate the charge so far as my own treatment is concerned, and leave the public to draw the inference in the case of those still in prison.

From my arrival in Millbank in 1870 until my discharge from Dartmoor in December last I was classed and associated with the ordinary prisoners, placed on the same footing in regard to diet and work, and had in every particular to perform the daily task of penal servitude as laid down by the prison rules.

A strict compliance with the requirements of these rules entitles a convict to certain privileges at stated intervals during his imprisonment, as regulated by the Penal Servitude Act, which came into force in July, 1864 ; and such privileges are accordingly allowed to prisoners who strictly observe the conditions imposed upon them. There was no provision made in that Act for the treatment of prisoners convicted for treason felony or other offences arising out of insurrectionary movements, and consequently there is no clause in the prison rules specifying the punishment to be awarded to political prisoners or the granting or curtailing of privileges in such cases. A political prisoner, therefore, who is compelled to observe these rules in every particular like other prisoners, and to undergo the same penal discipline, is as clearly entitled to all the privileges allowed by those rules as men who are convicted for non-political offences, such as murder, theft, forgery, bigamy, &c.

Such, however, has not been the case in regard to myself, and I adduce proofs to confirm this statement. One of the most coveted rewards of good conduct in prison is the privilege of receiving visits from friends, at

intervals of three, four, and six months, according to class and time served. A prisoner who has not forfeited his claim to such a privilege by any breach of discipline is as justly entitled to it as to his daily rations of food. Well, during my seven years and seven months' imprisonment I have been, by the admission of prison officials, a "good conduct" prisoner, and had, consequently, a right to a visit whenever I demanded one in accordance with the rules ; but, from the day after my sentence until the day of my discharge, I was not allowed to see a friend or receive a visit from anyone.

My first application for a visit was made in Millbank when due by the rules to receive one, and the answer given by the governor to my application was that I would not be permitted to write to, receive letters from, or see the friend whom I requested a visit from. As he was the nearest friend I had in England, and one who had assisted me to defend myself when tried, I could see no grounds whatever for the objection to his coming to see me ; but when I sought an explanation of this refusal from Visiting-Director Gambier, I was told by him that he would give me no reasons whatever, nor was he supposed to do so.

I would not be allowed the visit.

I made another effort while in Millbank to see some friend, and, thinking that no possible objection could be raised against my seeing a lady, I tendered the name of one whom I was anxious to see, as she was a correspondent of my family and a most intimate friend of my own.

This application was also refused by an order purporting to come from the then Home Secretary, Mr. Bruce (now Lord Aberdare), to the effect that a visit from the lady I had named would not be granted. I was now convinced that I would not be allowed an interview with any of my friends under any conditions, and made no further application for the next few years. I complied with the prison rules in the meantime, notwithstanding my deprivation of the privileges such compliance entitled me to. Several of my friends had

also made efforts to obtain leave to see me, but to no purpose. I renewed my application again in August or September, 1874, and was again refused, and no explanation of such refusal given. On the 24th of November last I once more endeavoured to see a friend, but the order for the visit was not forwarded, and I left prison on the 19th of December last without being permitted to see a friendly face during the whole term of my imprisonment.

I may remark that one of my objects in seeking an interview with some of my friends was to have attention drawn to the case of John Wilson, who had been sentenced with me. Perhaps this was one reason why no visit would be granted. Another proof of exceptional treatment :—

Ordinary convicts, when located according to class, were allowed to select a companion from the same ward to exercise with on Sunday. Mr. Chambers and myself were never allowed this privilege. We could select “companions” from among thieves and murderers but would not be permitted to even speak to each other at any time—Sundays or other occasions. We made repeated applications to governors and directors to have this small boon allowed us, as it was granted to others, but to no avail. No explanation would be given us why we were thus deprived of what others enjoyed.

Another instance of unjust treatment is one which I have already touched upon in the particulars of my various employment. Applications for transfer from party to party are of every-day occurrence in prison, and are invariably granted by the governor, as prisoners are entitled to change of labour when their employments may be either too heavy or injurious to their health, or when they can show themselves more capable of performing one class of work than another. Every application made by me for more suitable employment was refused, and I was invariably put either to labour that would throw as much work upon me as if I were able-bodied, or to some task, such as bone-breaking in a low shed by the prison cesspool in summer, or stone-break-

ing in the open air during the rigours of winter, which would insure punishment the most injurious to my health being inflicted upon me. No other conclusion than this was possible from the singularly harsh manner in which I was treated while complying with the rules in every particular.

I have before remarked that in the labour of washing and scrubbing my cell, polishing utensils, &c., there was no allowance made for my being deprived of an arm ; but I must admit that other prisoners similarly afflicted were treated in that respect in a like manner.

This cell work, in addition to my ordinary labour, would tell more upon me than upon an able-bodied prisoner ; and, as it also subtracted considerably from the short time at the disposal of prisoners for repose from labour, reading, &c., it would necessarily take more time from me, owing to the difficulties I had to contend with. In order to squeeze the floor-cloth with which I washed my cell twice a day, I would have to sit on my stool, place my feet upon the rim of my bucket, then put the cloth round the bucket-handle, and twist it until the water was wrung out of it. As a general rule I had only a few minutes to spare for reading, so much of my time being necessary to the keeping of my cell as clean as others.

In June, 1872, I was sent to Portsmouth prison, along with twenty-nine other prisoners from Dartmoor.

In cases of transfer from prison to prison convicts are handcuffed by one hand only to a chain that runs the whole length of the number of prisoners, and passes through a ring in each man's handcuff. By this means each convict has one hand at liberty to eat his food, attend to calls of nature, &c., if he is fortunate enough to be possessed of two ; and if not it is customary to substitute a body belt for a handcuff, in order to give him the use of one hand also.

No such consideration was shown to me. I was purposely placed between two of the filthiest of the twenty-nine convicts, and had my wrist handcuffed back to back with one of them. I appealed against this ere I

left Dartmoor, and requested a belt in lieu of a handcuff, or at least to be put at the end of the chain, but neither would be granted.

One of the two between whom I was chained was afflicted with mephitic, or stinking breath, and the other, I think, with scrofula. During the journey to Portsmouth this latter one, to whose hand mine was linked, had an attack of diarrhœa, and I had to submit to the horrors of such a situation, as my hand would not be unlocked from his.

All this, however, may have been through the petty malice of the chief turnkey in Dartmoor, and may not have been ordered by the then governor of that prison.

In Portsmouth prison I was placed on reduced diet because I was incapable of performing heavy labour, such as barrow-wheeling and the like. Yet at the task I was put to—"skintling" bricks—I did as much work as those who had two hands to labour with. I explained this to the medical officer, as a plea in favour of being allowed the ordinary prison rations, but I was told that the Secretary of State had ordered that ordinary diet should not be given to men employed at light labour, and that an exception could not be made in favour of me.

I am bound to remark, however, that the quality of the food in Portsmouth was far superior to that of Dartmoor, and that I suffered very little from the reduction in diet during my five weeks' stay in the former prison.

While there I was once reported for falling out of the ranks to see the doctor, through an attack of quinsy. I was not punished with bread and water, but I had to work for a couple of days without any food whatever, being unable to swallow anything, and receiving neither treatment nor remedy for my indisposition.

I was ordered back to Dartmoor again on the 16th of July, 1872, and on this return journey I was accompanied by a madman, or, as he would be termed in prison slang, a "balmy bloke." I was handcuffed to him of course, and while waiting for a train at Exeter

he managed to divest himself of most of his clothing, because he would not be allowed to ask people for tobacco.

My journey back was not much pleasanter than the one coming away. I have made this digression from my exceptionally harsh treatment in Dartmoor, in order to show that in whatever prison I might be incarcerated the fact of my being a political prisoner exposed me to, rather than saved me from, the most inconsiderate treatment at the hands of the prison officials.

But to return to proofs of my exceptional punishment in Dartmoor.

On one occasion (I believe it was in the latter part of 1871) I was ordered by a warder to assist another prisoner in carrying a tub that answered the purpose of a closet for eighty or ninety men, and on my refusing to do so I was taken to the punishment cells, and kept there—though not on bread and water—for three days, until the doctor had inspected the tub and found that it was too heavy for me to carry.

It was on that occasion I was told by the governor that I was just like another prisoner, and that he could not “make fish of one and flesh of another.”

During the whole of Easter week, 1876, I was confined to punishment cells, and underwent four days' bread and water, with deprivation of privileges of writing and class for two months, for simply refusing to substitute “sir” for “here,” when answering my name to the assistant-warder in charge of the party to which I belonged. He had no other object in insisting upon this than to satisfy his vanity, unless prompted to involve me in punishment by some of his superiors in this manner. I had always been respectful in my language towards this fellow, though his ruffianly conduct, ignorance, and dirty habits, were by-words among both officers and prisoners alike; and on the occasion of his reporting me my conduct had not changed towards him in the least from what it had previously been.

The prison rules require prisoners to be respectful at all times, but do not lay down specific terms to be used in addressing warders.

Hence, my punishment was nothing more than a gratuitous piece of petty tyranny.

It is a rule in prison that a convict's punishment, over and above the ordinary penal discipline, is determined by his conduct as a prisoner, and not by the nature of his offence. This rule is, generally speaking, followed by the governor, if not by his subordinate officers, in dealing with convicts. Both governors and subordinates have reversed this rule in my case, I think, as I have already shown. Several instances more can be given. In addition to the same punishment I underwent with the other prisoners, I was subject to closer watching and numberless other annoyances, neither authorised by the rules nor merited by my conduct. During the first winter I spent in Dartmoor, I used to find my cell rummaged and bed-clothes strewn about the damp floor several times a week, and generally upon wet days. I have often come into my seven-foot-by-four cell, dripping wet, after drawing a cart about like a beast of burden in the Winter's rain or snow, and, with saturated clothes on my back, had to gather up my bed and bedding, and put to rights what had been disarranged for no other motive than to give me work to do during my dinner hour, and thus deprive me of whatever little pleasure I might otherwise enjoy.

Prisoners are not located in "chokey" or penal cells, and subjected to the refined extra punishment of witnessing the effect of starvation penalties on poor unreasoning wretches, unless they have committed some breach of discipline meriting their being confined in those cells, and even when sentenced to a term of location there, they are removed at the expiration of that term to their former classification.

From August 16th, 1876, until the 9th of November, 1877, Mr. Chambers and myself were located in the penal cells, without our having committed any breach of discipline whatever, or having been charged with any intention of doing so. We were placed under what is termed special surveillance, and once every hour during the night an iron trap-door would be opened to

inspect us, and banged to again with no more regard to our being awake by this noise than if we were wild beasts that had to be watched.

In addition to this, there was the howling of the "balmy blokes," or madmen, the shouting and crying of the poor fellows in dark cells upon bread and water, and the singing of those who chose to satisfy their hunger with a snatch of some favourite song. All this was not very favourable to repose after a hard day's work. Once every twelve days I was shifted from one cell to another in this "chokey," and had, in consequence of this, to clean the dirty cells which other prisoners would leave behind.

I was also held responsible for anything that should be found in a cell into which I might be removed. All this was in direct contradiction to the letter and spirit of the rules I was made to observe in every particular; yet, when I over and over again complained of this treatment to the present governor, Captain Harris, and demanded an explanation of it, the answer I received was that he did not consider me as suffering any particular hardship, and that he would not give me the explanation I required. A man's punishment is intensified in proportion to the amount of injustice done him in awarding the sentence he is undergoing; and I think the situation of a man in prison, who has for six years borne the full weight of penal servitude, and has an additional unmerited punishment heaped upon him, where he can neither avoid it, defend himself, nor obtain redress, is one calculated to rouse the worst passions of his nature, and drive him to desperation or madness. To show conclusively that there was no cause for this extra punishment to which I was subjected, beyond the desire to add to my sufferings, I was removed from those cells in November last by order of Director Fagan, to whom I had complained of how I was treated. Had my conduct as a prisoner deserved this treatment, or had there been any real necessity for my being placed under special surveillance, he assuredly would not have relieved me from either one or the other.

Some idea can be formed of how jealously Mr. Chambers and I were watched and kept apart, by the fact that during the time we were located in the penal cells there were no more than two cells between us, and yet we found it impossible to exchange a word with each other. We would not be allowed even to go to chapel together, until this restriction was removed by Director Fagan in November last.

I have so far confined myself in this, I fear, uninteresting narrative of prison life, to, first, an account of my treatment in various convict establishments, from which some idea of penal discipline may be formed; and second, to detailing the additional punishment by deprivation of privileges and otherwise to which I was subjected, unquestionably on account of my being a Fenian prisoner, as my observance of the rules was uniformly strict, and therefore not meriting punishment.

I have not dwelt upon the "sentimental" part of my treatment scarcely at all—the humiliating punishment—the degradation of being placed on a footing, or rather below, the vilest offscum of crime and infamy. Crime of the most revolting nature is but the subject of boast among some of those unfortunate people. In a word, the greater the degree of moral obloquy attached to a crime, the greater is the estimation in which the perpetrator of it is held among his associates.

No such thing as the law of moral obligation is dreamt of in their philosophy. I recollect once being appealed to for sympathy by a man or rather demon—who complained against English justice in awarding him penal servitude for life. I asked him what he had done to receive it, and he unconcernedly replied that he had outraged a young girl and then murdered her, adding "But she was a deformed thing, and to give a man 'life' for that is a d——d shame."

I think it was Lord Byron who once expressed a wish to know how one felt after committing murder. I have heard murderers repeat how *they* have felt. I have listened to tales of murder and outrage without ever hearing the slightest expression of remorse from the

narrators, and I have had to listen to myself being spoken to as "chum," "pal," "old boy," "friend," and all the terms of companionship in the parlance of crime.

I remember once being asked by a young thief what burglary *I* had committed to receive so heavy a sentence, and on my replying that I had not the honour of belonging to the "order," he contemptuously retorted, "Oh, indeed! I suppose you have chucked it up *now*, but don't try to make *me* believe you ever got fifteen stretch (years) *without stealing something*."

Yet there is another feeling arising from such association as this, besides the one I have alluded to, and that is one of pain and sorrow at seeing a class of men exist in a Christian country and age, so steeped in crime and immorality—so invincibly ignorant of the higher sentiments and feelings of man, as to look upon the most atrocious offences as only meriting applause, and creating envy among the class to which they belong.

It stirs the indignation of the humane hearts of the present day to see a dog or any other animal ill-treated, as if it were capable of judging between right and wrong, and had selected to act perversely to some one's behests.

Men whose early years have been vitiated in an atmosphere of crime, whose recollections of childhood are those of neglect, hunger, and theft, and whose after lives have run in an orbit of iniquity, at once fixed and repelled by the operation of that very influence which should have rescued them from thence—the influence of Society—such men can be scarcely any more responsible, from a moral point of view, for the actions they commit than the unreasoning animal which follows the impulse of its passions.

We are told that it is natural in man to steal, and that a child exemplifies the truth of this by trying to get possession of whatever excites its desires. If a state of society existed in which such a child would not be taught the law of moral obligation, would it be a matter of surprise to see it carry into manhood the uncorrected impulse of its nature, and become an Ishmael of the social commonwealth?

The society, law, government, or any other name you please to call that power, which assumes responsibility in a State that generates this class of men, is accountable before God for the degradation of those whom His providence had moulded in His own form, and answerable to His justice for the inhumanity of their punishment.

A few days ago I stood before the statue of the philanthropist Howard, in St. Paul's Cathedral, and experienced the pleasure arising from a knowledge of the misery alleviated, of the sufferings healed, and consolation afforded, by the exertions of a single man. I bowed in reverence to the relics of one who had carried a sympathetic heart into the dungeons of Europe, and cheered by his presence those gloomy homes of woe and despair. I wondered if his spirit were now looking down upon the unchristian system which his country had invented for the "reformation" of the unfortunate, and lamenting that she, of all other lands, had profited least by his teaching, and her criminal classes by his exertions. What would he say of his country's prisons, where it is a punishable offence to share a morsel of bread with a starving wretch in order to assuage the hunger that often seeks to satisfy itself upon the most repulsive things? Would he not lament that England had not invented some other means of punishment than semi-starvation and the "cat"—a more humane system than one which generates the most fatal diseases, induces insanity and paralysis, and arouses all that is bad and vindictive in human nature to fix the habits of crime, which have made those unfortunate people outcasts of society? On Good Friday last I heard a paralysed man appeal for a drink of water to a deputy-governor of a prison, and the reply to that appeal was, "You have water inside your cell door, and if you want it you can get up for it." The man had been carried out of the infirmary, and put in a punishment cell nearly opposite to mine—his offence was *paralysis*. He was dragged on the floor to and from the governor's office to be reported and punished for—being paralytic! One

more instance of how prisoners are "reformed" in Dartmoor. In September last a party of convicts were employed at haymaking outside the prison walls, in charge of armed warders and guards.

One of the prisoners (a young lad named Murphy, eighteen or twenty years of age), on being threatened by a warder that he would be reported for not performing enough of work, ran at the officer with a wooden rake and struck him (or attempted to do so) in the legs with it. He was immediately felled to the earth by the staffs of the warders that rushed upon him.

On witnessing this cowardly conduct, five or six men in the party cried, "Shame, for two or three officers to knock down a boy in that manner." The boy Murphy, together with five men who had simply spoken as above, were tried by directors, and sentenced to three dozen lashes by the cat each, with twenty-eight days' bread and water, and ninety days' penal class in punishment cells, and to wear cross irons night and day for six months.

A volume could be filled with instances of this kind where men are provoked to desperation by "morality" teachers from the English army and navy, and then punished by the "cat" and starvation, in order to instil into them "sound moral principles," &c. In Chatham prison alone no less than fifty men have voluntarily deprived themselves of arms, legs, fingers, and, in many instances, life itself, in order to escape the terrible discipline which destroyed M'Carthy's health and insured his premature death.

This concludes a brief sketch of what penal servitude really is; and how myself and all those who have been and those who are still, in prison for Fenianism have been made to feel, not only all the unmitigated horrors of penal discipline, but all that vindictive malice and prejudice could do to aggravate our punishment and deprive us of every remedy against madness, and the hope of ever leaving prison otherwise than debilitated in mind and body for the remaining portion of our lives.

Among the eight political prisoners still incarcerated,

there is not one, I believe, who does not complain of either heart disease, consumption, or other affliction equally indicative of a ruined constitution; and that this is attributable to their long and inhuman punishment, no candid mind can for a moment doubt after the verdict given on the inquest of Charles M'Carthy.

Edward O'Connor, now in Spike Island prison, has completed thirteen years of penal servitude, such as I have attempted to describe. He has been flogged twice or three times for striking or attempting to strike warders who have, in all probability, provoked him to do this to give them an opportunity of involving him in trouble and extra punishment.

Not many months ago he underwent twenty-eight days' bread and water while afflicted with an abscess in his hip, for some breach of discipline; and though this has been half denied by Sir M. H. Beach, it is nevertheless true, Edward O'Kelly's truthful statement of the fact to his sister being now confirmed by a recently-discharged prisoner from Spike Island. "Is the majesty of the law" vindicated in O'Connor's case, or is his sentence to be practically death by fifteen year's imprisonment and torture? Answer, ye English philanthropists! John Dillon has had over eleven years' experience of "Spike" also, and still lives suffering and silent. Robert Kelly has recently been seen by his wife and little daughter, and the change in his appearance since last visited is prophetic of a speedy end to his existence, if not liberated. He is afflicted with heart palpitation, and has to work notwithstanding, without any remedy to alleviate his suffering, or even sufficient nutritive food to sustain him, as he has informed his wife, Edward O'Kelly is also succumbing to the treatment which killed M'Carthy. Location in penal cells, loss of sleep, deprivation of exercise, special surveillance, &c., have induced heart disease and insured a lingering death.

The fortunate professional burglar, "O'Brady," who gave evidence against O'Kelly, was released "on medical grounds" while undergoing his second sentence. Would it be in any way contrary to justice, Divine or human,

to deal with the political offender in the same manner as the thief has been dealt with ?

O'Meara Condon has completed over ten years of his life sentence, and must inevitably have contracted a shattered constitution from the sufferings which a decade of penal discipline must necessarily entail.

Patrick Meledy has served the same term of years with his companion in Portland, and complained when last visited that his health was fast giving way. He has received a large amount of extra punishment, and has recently been denied the pleasure of seeing his brother through some trivial offence committed against the prison rules.

James Clancy was sentenced in 1868, and though entering prison with an unimpaired constitution, he is now, I am told by friends who have visited him, declining perceptibly.

Thomas Ahearn has finished ten years also, and is now a complete wreck in mind and body. He was treated while in Millbank as insane, and he is known to the prison authorities to have been more or less so ever since. Not a single letter has he written from Dartmoor during the past nine years which did not contain conclusive evidence of his mental disease. He has often assured me when we have obtained a chance of exchanging a word or two, that the judge who sentenced him only gave him nine months, and that the public authorities have changed that term to one of life. Nothing can convince him but that this is true. He has often sent me messages by other prisoners that he was to be liberated on a certain day, and he would feel confident that he should realise what his disordered mind had prompted him to believe. He was once or twice reported for refusing to comply with the customary "crop" or weekly cutting-close of hair and beard, alleging that his time was up, and he was going home. He is now afflicted with heart disease, and if not soon removed from Dartmoor his time in this world is very short.

My object in bringing these facts before the public is twofold. I am desirous, in the first place, to allow facts

to corroborate the repeatedly denied assertion that myself and prison companions were treated with exceptional harshness, and subjected to heavier punishment than ordinary convicts ; and, secondly, to demand an inquiry into the complaints of similar ill-treatment made by the eight remaining political prisoners by the commission now supposed to be investigating the working of the Penal Servitude Act, in English and Irish convict establishments. It is not irrelevant to the object for which this commission was understood to be appointed, to have James Clancy, of Portsmouth prison ; Thomas Ahearn, of Dartmoor ; O'Meara Condon and Patrick Meledy, of Portland ; and Edward O'Connor, John Dillon, Robert Kelly, and Edward O'Kelly, of Spike Island prison, examined by the said commission, and their treatment under this Penal Servitude Act reported upon by the same.

I have been informed, while in prison, that when inquiries have heretofore been made by commission or otherwise, that select convicts have been brought forward by the prison authorities to be interrogated as to discipline, diet, and whatever other matters may have been the subject of such inquiries upon which the testimony of prisoners would be required.

As the treatment of the political prisoners I have named has been, and is still, a public question, their examination before the commission is but just to themselves and to the prison authorities, and also due to the public in order to have from it an impartial judgment upon the question. I would also respectfully submit the following suggestions to the commission as to eliciting facts and information touching the working of the Penal Servitude Act and the management of convict establishments in England and Ireland :—

1st—That a competent medical authority be appointed by the commission or Secretary of State to investigate cases of hopeless heart disease and paralysis induced by imprisonment ; and to examine prisoners' medical sheets and medical officers' journals to discover such cases and report upon same. And also to inspect

the ventilation and sanitary arrangements in each prison, and to report upon the fitness of the small iron cells as sleeping compartments in respect to the quantity of air they are capable of containing.

2nd—That the justice of depriving permanent invalids of a portion of the ordinary prison rations, and a part of their remission of sentence by a reduced number of marks per day, on account of being physically unable to perform heavy labour, be inquired into.

3rd—That the number of suicides and deaths by accident in Chatham, Dartmoor, Portsmouth, Portland, and other prisons, since the Penal Servitude Act came in force, be ascertained ; and that the penal records of all such prisoners be seen by the commission, as also particulars of the inquests held.

4th—That the numbers of maimings by accident, voluntary mutilations of arms, legs, &c., in Chatham, Portsmouth, Portland, Dartmoor, and other prisons, since the present Act came into force, be ascertained the causes inquired into, penal records of such prisoners seen, and the extra punishments undergone previous to such accidents and mutilations, to be noted. Also the character of the task or labour at which such prisoners were employed when maimed, &c., to be inquired into ; and men still in prison who have been maimed or who have mutilated themselves, to be interrogated as to causes or motives of their accidents or mutilations. Also to ascertain what compensation by money or remission of sentence has been given to prisoners who have met with accidents during their imprisonment.

5th—That governors' journals and prisoners' conduct books be inspected in each prison, and prisoners termed "incorrigible" or "insubordinate" be examined by the commission, their punishments inquired into, and the causes of their insubordination. Also that punishment cells be visited in each prison, and men found in same to be examined as to diet and discipline of such prison ; men found in hospital to be questioned on same points ; and the commission to select, from among prisoners who have been in such prisons longest, those it may

desire to interrogate on discipline, work, diet, conduct of warders, &c.

6th—The classification of convicts deserves the special attention of the commission. Men who have undergone two or three sentences—professional thieves—are placed on the same footing and in the same scale of remission as those convicted for the first time for any offence whatsoever. Boys sentenced to penal servitude for the first time are associated with old and hardened criminals if the time done of their respective sentences correspond, and they are in the same “party” and “class.” As a general rule the prisoners selected by warders as “standing orderlies” or “ward assistants”—those employed in “special billets,” or “post of responsibility”—men in the cook and bakehouses—and infirmary orderlies and assistants—are re-convicted convicts, men whose qualifications for such places, arise from their “knowing their way about.” These are the class which prison officials would have examined on inquiries.

And—

7th—That the commission should inquire into the fitness of pensioners from the army and navy for performing the duties of warders and assistant-warders, by examining into the moral and mental training of such numbers of them as the Commission may deem necessary for that purpose in each prison.

Believing that every effort will be made by the prison authorities to screen the present system from censure or exposure, and endeavour to have themselves whitewashed by an *ex parte* investigation into the management of convict establishments, I earnestly press these few suggestions upon the attention of the commission of inquiry in the interests of truth and justice.

MICHAEL DAVITT,
Ex-Treason-Felony Convict,
W. 822.

London, March 1878.

EVIDENCE

OF

MR. MICHAEL DAVITT,

BEFORE THE

Commissioners appointed to enquire into the Working of the
Penal Servitude Acts.

20TH JUNE, 1878.

PRESENT :

THE RIGHT HON. THE EARL OF KIMBERLEY
IN THE CHAIR.

SIR HENRY T. HOLLAND, BART., M.P., K.C.M.G.

JOHN GILBERT TALBOT, ESQ. M.P.

SAMUEL WHITBREAD, ESQ.

DR. GREENHOW.

EDMOND R. WODEHOUSE, Esq., *Secretary.*

You were convicted upon a charge of treason-felony on the 11th of July, 1870, and were sentenced to fifteen years' penal servitude?—Yes.

And you were released on the 19th of December last?—Yes.

You were specially released under license?—Yes.

You were released before the ordinary time?—Yes.

The first convict prison in which you were confined was Millbank?—Yes.

Were you searched upon your reception at Millbank? Immediately on my reception I was taken into the searching room and was stripped naked. The searching

officer, after telling me to stand like this (*the witness extending his arm*), and to open my mouth, ordered me to turn round and stoop. I did so. He then ordered me to stand wider, or to open my legs more than I did. I begged to be excused from doing it, but he told me that that was the rule, and that I should comply. He then came and felt under my arm, and rubbed his hands through my hair ; beyond that he did not touch my person.

Who was present ?—Only the searching warder, the principal warder ; I cannot recollect his name ; he is the officer delegated for that purpose.

Have you any complaint to make as to the cell in which you were confined in Millbank, or of its arrangements ?—My principal complaint in reference to the cells at Millbank is that I was compelled to sit on a bucket twelve inches high ; there was no stool whatever allowed in the cell, and no table. This bucket answered the double purpose of holding the water for washing purposes and sitting upon in the performance of my task. I was compelled to sit on this bucket for ten hours every day.

Not ten hours at one sitting ?—I was compelled to sit on the bucket performing my task, and I was not allowed to walk about the cell nor to lean my back against the wall, but I had to sit in the centre of the cell. Of course there was an hour for exercise, and twenty minutes for service in the morning, but the working hours were twelve, and I was compelled to sit for ten hours every day on this bucket.

If you attempted to lean against the wall, were you told that you must not do so ?—Certainly ; I should be reprimanded and be told to shift my bucket to the centre of the cell.

Did you ever sit against the wall ?—I did, and was told that my proper place was in the centre of the cell ?

Was an officer constantly in your cell ?—Not constantly in my cell ; there was an officer attending to the ward, and looking through the inspection holes to see whether prisoners were attending to their tasks or not.

Do you mean that if you had stood up for a moment to relieve the sitting position it would have been objected to?—It would, if the officer had seen me, but of course a man may stand up when the officer is not looking.

Upon what work were you employed?—Picking coir and oakum.

If you had thought fit to stand up to pick your oakum, would it have been objected to?—I cannot answer that question, because I never stood up to do it, and therefore I do not know whether it would be right or wrong; but I should think that if I could pick my oakum standing up there might be no objection, if it was done on the plea of easing my back.

In point of fact, the work on which you were employed could not be carried on standing up?—Not by me, because I had to put the oakum between my knees and try to pick it, having only one hand.

Did you find that sitting so long in this posture, employed in picking oakum, had any prejudicial effect on your health?—I found that it was prejudicial to my health in the stooping posture, and sitting on a seat which was so low; it was very distressing on the chest. When I was measured on my arrival in Millbank I measured 6 feet, and that measurement was entered. On my departure from Millbank to Dartmoor I was again measured, and I heard the officer say 5 feet $10\frac{3}{4}$ or 5 feet $10\frac{1}{2}$, I do not recollect which; I think that it was 5 feet $10\frac{3}{4}$.

I will call your attention to the fact that in your medical history your height is given as 5 feet $10\frac{3}{4}$ at Millbank, 5 feet $10\frac{1}{2}$ at Dartmoor, and 5 feet $10\frac{1}{2}$ at Portsmouth?—Yes; 6 feet was always my height.

You do not mean to say that it was entered as 6 feet, because at Millbank the entry in the penal record is 5 feet $10\frac{3}{4}$?—I measured 6 feet when I entered Millbank; I remember being put under the stand, and there was the same measurement in Clerkenwell and in Newgate; still it is just possible that a mistake has been made. I measure close on six feet now.

Without your shoes, of course ?—Without my shoes ; I am 5 feet $11\frac{3}{4}$.

Have you any further statement to make with reference to the arrangement of the cells at Millbank ?—There is one shaft in each ward at Millbank, along which heated air is sent ; cells removed twenty yards from this shaft are not in the least heated by it ; therefore the cold in those cells in winter is very intense.

I observe that, in the written statement which you submitted to the Commission, you say that many prisoners have lost the use of their limbs from the effect of the Millbank winters ; do you know any instance of that ? I have met many men in prison who complained of having contracted chilblains and frost-bites in Millbank ; and one instance, I believe, has been made public where a man, I believe, was paralyzed through the severity of the winter ; and there is another instance of a man who was convicted of fenianism, Daniel Reddin, he also complained that cold had something to do with his paralysis.

At Millbank ?—At Millbank.

Chilblains might, as we know, be contracted anywhere, but did you ever know a case of a man who was frost-bitten ?—I have been told by several prisoners that they have been frost-bitten in Millbank. I never was frost-bitten, but I suffered from the severe cold in my feet. Perhaps I may have confounded frost-bites and chilblains. I know that several men have contracted chilblains, and what they were pleased to tell me were frost-bites, in Millbank, and I have seen the marks on their hands.

You were allowed one hour's exercise in the day ?—Yes. For the last two months which I spent in Millbank I was allowed by the doctor another half-hour's exercise, as I complained that my health was deteriorating through the close confinement of 10 hours every day. I was always compelled to wash the cell floors ; the stone floor in Millbank has to be first washed and then scrubbed ; a large stone and brush and cloth are supplied to each prisoner for that purpose.

Did you find that in any way distressing?—I found it very distressing. For instance, to squeeze the water out of a cloth with one hand is very difficult. I had to put half the cloth on the side of the bucket, and press it, and so squeeze the water out, and then to turn it round and repeat the operation. It would take me three times as long to wash my cell as it would take other prisoners.

Was no assistance ever given to you?—Never.

Did you ask for assistance?—No; I was told that I had to do it.

How much oakum a day were you required to pick?—I was not compelled to pick any given quantity; that was on account of my physical infirmity, but I was supposed to sit for the usual working hours, and pick as much as I could.

Did you ever complain to the officers of the difficulty which you had in picking the oakum?—I did. At first I was told that I should have to pick a certain quantity, and I remarked that it would be impossible for me to pick even half as much as a man who had two hands; then the officer remarked that he knew several prisoners who were physically disabled as I was who managed to pick a fair quantity with their teeth. But my refusal to do so did not entail any punishment; I was not punished.

When you were at exercise were you in single file, or had you any communication with the other prisoners at Millbank?—In single file, and not allowed to speak at all.

In point of fact, during your imprisonment at Millbank, had you much communication with the officers or prisoners in the way of conversation?—Simply that in going to prayers in the morning, going along the corridors, there would be an opportunity of exchanging a word with a prisoner; but officers are posted along the corridors at a distance of about ten yards, and any prisoner who is found speaking is liable to be punished on bread and water.

You are a Roman Catholic?—I am.

Were you often visited by the Roman Catholic priest?—I think about four times while I was in Millbank. The Roman Catholic priest in Millbank, and in Dartmoor, seemed to avoid me on account of my being a Fenian prisoner ; that is my impression.

There is a means of applying, if you wish to speak to the priest, is there not, by putting your brush outside the cell door ; did you ever send for the priest?—Yes, I sent for the priest, I think, about four or five times during my imprisonment.

When you sent for him did he always come?—Always.

Had you ever occasion to make any complaint to the governor at Millbank?—Yes ; I complained to the governor that I had not sufficient food, and he referred me to the doctor.

What was the result of the application?—The application was refused ; the doctor (I think that it was assistant-doctor Wilson) told me that he could not grant the application. I also complained to the governor of the amount of exercise, and he referred me to the doctor, and the doctor granted me an extra half-hour's exercise in the last two months that I was in Millbank.

Did you find the food insufficient?—I did. I was losing weight, and it was on that ground that I made the application.

Besides your opinion that the food was insufficient, had you any reason to complain of its quality, looking upon it as prison fare?—I found the quality at first much better than I afterwards found it in Dartmoor ; but the quality of the food in Millbank and at Dartmoor is not always the same, especially of the bread ; for a few months it may be very fair bread, and then a new contract may be of very bad flour. In the prison the difference in the quality of bread from time to time is a subject of general complaint.

I observe, from the official entries, that you weighed 147lbs on arrival at Millbank, and that on discharge you weighed 150½lbs. You gained 3½lbs in weight ; it is not much ; but it proves that you did not lose weight ?

That is very singular. I remember making an application to the doctor (I think that it was after I had been for five months in Millbank) to have my meat cut instead of sending it in uncut and giving me a piece of tin in the form of a knife to cut it with.

May you not at one time have lost weight, but gained it again before you were discharged? That must be the explanation; because when I made an application for additional food, I was weighed by the doctor, and I told the doctor that I was losing weight, and if that was not the case I think that he would have told me that I was not losing weight.

Might it not be the fact that the natural vexation which any man would experience at imprisonment would have an effect upon your health? It might; because the first six or ten months of imprisonment are the hardest to bear. With reference to Millbank, an order, I think, was given by the governor, Mr. Morrish, who is now one of the directors, that I was not to be employed outside my cell. Prisoners in all convict establishments have to do certain work outside the cell, and in Millbank this is a privilege, whereas in public works prisons it is not a privilege; but in Millbank it is a privilege to be removed from the close confinement in the cells. I was strictly forbidden to be employed outside the cell.

That, I suppose, was from the fear of your making some attempt at escape? I think so, but I am not certain. There are boards in each ward containing a list of the prisoners in that ward, and opposite each prisoner's name remarks are made by the governor's orders, and opposite my name I noticed the remark that prisoner Davitt was not to be employed outside the cell. With regard to the bread, I found the bread for the first six months in Millbank very fair for a prison, but for the last three or four months it was very bad indeed. The cheese was very bad in Millbank at that time. It was the worst that I have seen in any convict establishment in which I have been.

Did you find the bedding insufficient?—In summer it was sufficient, but not in winter. The arrangement

for the beds in Millbank is somewhat similar to the arrangement in the punishment cells in public works prisons—there is a sort of platform, raised about four or six inches from a stone floor, and the draft coming in under the door in winter makes it very cold.

You were allowed two blankets?—Two blankets, a sheet, and a rug. Some of the blankets were 10 or 12 years old. I do not recollect the blankets ever being washed while I was in Millbank. In reference to the clothing there is another complaint which I wish to make, namely, that when men were shifted about from cell to cell, a prisoner in Millbank at that time was not permitted to take his bedclothes with him, he had to go and sleep in bedclothes in which another prisoner had lain ; and I have often found the bedclothes soiled with human soil.

Including a sheet?—Sheets and blankets too I think that there is now a rule that prisoners on being removed take their sheets with them.

Were you allowed books in your cell ? I was allowed four small religious books, two school books—one of which was an arithmetic book and the other a geography, mere school books suitable for a man who had received no education ; and I was allowed one library book, which was changed once a fortnight. The Catholic prisoners in Millbank would not be allowed the same books as the Protestant prisoners ; and it is a notorious fact that the books supplied to the Catholics in the convict establishments are very poor in comparison ; so much so that numbers of men who have been Catholics during one term of imprisonment become Protestants in the next term, and they say that it is on account of the superior books.

May there not be some difficulty in finding a sufficient supply of books to which the Catholic priest might not make objection?—The Catholic priests object to such books as the “Leisure Hour,” and the “Sunday at Home” and “Good Words,” and serials of that sort, which are very interesting reading in the prison ; the Protestant prisoners are allowed those privileges.

I mean that there being much fewer such Catholic serials in English than Protestant serials, there might be a difficulty in finding a sufficient supply of interesting books?—I think that the objections against those serials by the Catholic priests is on account of their being anti-Catholic. There is, no doubt, a restriction. I complained twice to the priest in Millbank; and it was in order to make a complaint with reference to the books that I sent for him on one occasion, and I pointed out to him that the books were mere childish books, of course useful with regard to giving religious instruction, but as library books certainly not such as should be issued to prisoners.

You would desire to see the library books changed more frequently than once a fortnight? Yes; I made an application to the priest. I first had the opinion of the officer in charge of the ward, to whom I should complain with reference to the library book being only issued once a fortnight, and he referred me to the priest. I saw him, and he told me that he could not grant me the privilege of a more frequent change, as if he did so he must grant it to everybody else. I was not exceptionally treated in that respect. When I make a remark like that, I wish it to be understood that with reference to the books I was no worse treated than other prisoners were.

How often did you have a bath? In Millbank we were supposed to wash our feet once a week, and to have a full bath once a fortnight. One bath often served half a dozen men, to my knowledge.

The same water was used? The same water. In ward 4, pentagon 5, where I was located, I think that there was a total of 30 men; the baths in pentagon 5, I think, numbered about six; and it was very seldom that the water would be renewed more than twice for the 30 men.

Did the 30 men all wash on the same day? Yes, when at exercise; that was the time allowed for bathing; so that the time which was taken up for bathing would be deducted from the exercise.

Were you often searched at Millbank whilst you were there, or was your cell searched? Yes, I was often searched. Two officers are sent round to each ward, and they enter each man's cell, and he is compelled to strip naked in the presence of those two officers.

Did this occur frequently?—On an average about once a month.

Was the examination the same as on your reception? Yes, with this exception, that I was not compelled to stoop as I was on my reception at Millbank. In addition to this, the officer in charge of the ward would frequently come into my cell and examine the bars and the walls, and would often see that I had nothing contraband in my pocket.

Were you ever stripped in the presence of any other prisoner? Not in Millbank. On bathing day six or eight prisoners would strip together naked at Millbank.

What was the conduct of the warders at Millbank; did you find it to be annoying and vexatious, or on the whole do you think were you fairly treated by them? They never used any violence to me, as they very often did to other prisoners; but they watched me more closely than they watched any other prisoner, and I believe that they had orders to do so.

Did you ever see any warder commit violence towards any other prisoner? Often. If a prisoner is suspected of having tobacco or anything which is not allowed by the rules, the officers, if they think that he has tobacco in his mouth, will rush at him and seize him by the throat, one before and one behind, or, as they say in prison slang, will “choke” him to prevent his swallowing the tobacco. I have seen that scores of times.

Did you ever see officers strike prisoners with their staves? Not at Millbank. I never saw a warder fell a prisoner in Millbank, but I have often seen officers fell prisoners elsewhere; that was when a prisoner would attempt to strike a warder or use threatening language. At Millbank I have simply seen warders “choke” prisoners as the term is.

When the choking which you have described was

done, it was supposed that a man had tobacco in his mouth which he would swallow if he had any opportunity of swallowing it, and the officers immediately stopped him from doing so? Yes.

Generally, with regard to the imprisonment at Millbank, did you form any opinion apart from your own individual treatment? I formed this opinion, that very little effort was made to reform these men in Millbank. The treatment appeared to me too harsh.

Is there anything further which you wish to add as to Millbank? Simply with reference to visits. I was due for a visit in Millbank, and I made an application to the governor, and he told me a couple of days afterwards that I could not see the party whom I applied to see. He would not give me any reason for his objecting to my seeing this party; that party was my most intimate friend, and he had been a witness for me on my trial. The governor referred me to the visiting director, who, I think, was director Gambier, and he would give me no explanation, but merely said that I should not be allowed to see that friend. I first applied to see Mr. Haran; I afterwards applied to see Mrs. Forrester, and an order from the Secretary of State was read to me that I should not be allowed to see Mrs. Forrester; but no reason was given to me for their refusing to let me see either of those two persons.

The next prison to which you went was Dartmoor? Yes.

In what part of the prison were you placed at Dartmoor? I was first located in the separate cells; that is the punishment part of the prison, what in slang is called "the choky," where incorrigible prisoners were confined. I was not so placed on account of my misconduct, because I had not been reported while in Millbank.

Those cells are not in themselves, from a prison point of view, uncomfortable cells, are they? They are not. They have this advantage over the iron cells, that they are larger and better ventilated; but with reference to a

seat and a table, and the noise in the punishment cells, the noise precludes the possibility of sleeping at night, and in consequence of this they are worse cells to be located in.

When you speak of the noise, do you mean the noise of refractory prisoners shouting and screaming? Yes.

Otherwise the ventilation and the air space of the cells are decidedly superior as compared with the corrugated iron cells?—Decidedly so. While I was in Dartmoor I made repeated applications to the governor to be removed from those cells, and I stated my objections to him, the principal one being the noise, which prevented my sleeping at night.

You are probably aware that the reason why you were placed there was for your safe custody? I believe so, but I was never told so; I simply asked why I was so placed, and why I was treated differently from the other prisoners.

You also may be aware that it was from special order, and not from any caprice of the governor? I suppose that it may have been from special order, but I was not given to understand that. There might be something outside which might influence the parties in so treating me.

No reason was assigned to you? No reason was assigned to me. In addition to being located in those cells I was removed every 10 or 12 days from one cell to another, and that was contrary to the usual practice.

Were you afterwards removed to the corrugated iron cell? I was located in the punishment cells for one week after my reception from Millbank. Then I complained of being placed in those cells, and I was removed on that complaint to the ordinary iron cells, and I remained there for, I think, five years, except when under report, in which case I would be sent back to the punishment cells.

Those iron cells were used only for sleeping purposes? Only for sleeping purposes.

Had you any reason to complain of them? I had. I

complained to the governor on several occasions that the ventilation was defective, and that there was not sufficient light, and I requested to be removed to cells better ventilated and with more light. One complaint in reference to that was, I think, in May 1874, when I was removed from the landing set apart for first class prisoners to a top landing, to make room for Protestant prisoners coming into that prison from No. 3 prison in Dartmoor.

You mentioned just now that you were removed to the punishment cells on a report. During the time that you were at Dartmoor what punishments did you receive? I received one day's bread and water on, I think, the 1st of January, 1872. The next punishment on bread and water was in Easter week, 1876.

You went to Portsmouth for a short time? Yes, in 1872. I remained in Portsmouth for five weeks. I was reported in Portsmouth for giving away bread to a prisoner, and I was deprived of a number of marks, and of the privilege of writing for a month.

On two other occasions you received two days bread and water? Yes.

What was the offence for which you received the bread and water on the first occasion? The officer charged me with having a pencil and paper in my cell; he opened my cell door, seized me, and brought me out into the hall, and another officer came and caught hold of my hand, and I was taken into a back room and searched, but no pencil or paper was found upon me; the officer told the governor that I had swallowed both; of course I did neither, I did nothing of the sort.

On the second occasion you were punished with a day's bread and water, and the loss of 24 marks, for refusing to have your hair cut, and for insolence. That was in 1872, on my return from Portsmouth. I may say that the cause of that was, that I sent out a communication with a discharged prisoner as to how I was treated going to Portsmouth, and with reference to certain matters which occurred in Dartmoor; I think that that was the cause; no cause was given why my

beard was to be cut off. I asked the reason for it, and I was told that no reason would be given.

Is not the beard usually clipped short? All the men convicted of treason-felony were allowed to grow their beards and hair after the Devon Commission, I think, had investigated their treatment. In reference to the hair cutting, when I refused to consent to having it cut without the reason being assigned for it, I was taken by six warders and forcibly held in a chair until my beard was cut.

You were punished for resisting? Yes.

You were punished on another occasion with two days bread and water for not answering properly to your name on parade? Yes. While under the charge of that officer I had generally answered to my name "Here," as the majority of the prisoners at Dartmoor were accustomed to answer, and no objection whatever had been taken to my answering in that manner. On this occasion, without any provocation on my part, the officer demanded of me that I should "Sir" him, saying that he was entitled to "Sir," and that he would let me know that I had to "Sir" him. I simply replied that I had answered to my name as I had been accustomed to do, and that if there was anything wrong he could report it to the governor.

And that was the consequence? That was the consequence. Another punishment which was inflicted upon me, not by bread and water, was being detained in the punishment cells for three days for refusing to carry a portable closet.

Was that in Dartmoor?—In Dartmoor. I think it was in 1872, when Major Hickey was governor of Dartmoor.

That, as I understand, was a direct refusal to comply with some order; Whether the order was a just one or not is another question, but there was a direct refusal to comply with the order?—Yes.

Were you placed upon penal diet on that occasion? No; I was simply confined to the cells until the medical officer would investigate the case, and after investigating

it he found that what I was asked to do was more than I could perform with one hand ; therefore I was not punished on bread and water, but was confined in the punishment cell.

Not in a dark cell ? No.

How long upon that occasion were you confined in the punishment cell ? I think for three or four days. You must draw a distinction between the penal class cells and the punishment cells.

Referring again to the iron cells, you complain very much of the want of ventilation in those cells ? I complain of the want of ventilation and the want of light. When I was transferred in, I think, May, 1874, to make room for prisoners coming into No. 2 prison from No. 3 prison, I was placed in a ward which was not set apart for first-class prisoners, but for men in the probation class, and it is the worst ward in the prison ; it is the top ward ; the heated air ascends in the summer, and it is very difficult to breathe.

The ventilation is by an opening under the door ? By an opening under the door only.

Is there no communication with the outer air ? There was such a communication in Portsmouth, but not in Dartmoor.

Were any other prisoners removed at the same time to make way for these new prisoners ? All the Catholic prisoners.

And these were prisoners for all sorts of offences ? Yes.

Then you were not singular in being removed ? Not in that respect ; but I complain of being removed as a first class man to make room for another first class man, and being put into an inferior ward.

The want of this ventilation at the top of the cell is in the 4th ward ? Yes. In reference to the want of ventilation over the door, it is the same in the other ward as in the top ward.

But in the other wards there is a ventilation in the upper part of the cell as well as under the door, is there not ? There is a better escape in the other cells for the foul air, but not in the top cells ; the air is tainted in

those top cells in Dartmoor ; the means is not sufficient to take away the whole of the foul air.

Were any of the other prisoners who were removed on that occasion first class prisoners as well as you ? Yes.

Did you find that the air in these wards and iron cells became foul towards morning ? Very much so, in summer especially. I may remark that on one occasion in Dartmoor I was specially located in 122 cell, No. 3 ward, opposite the watercloset ; and the watercloset on that landing consisted of three tubs, in which the human soil was preserved for manure. This closet, with those three tubs, which answered for 84 men, was at a distance of about ten feet from my cell, and those tubs were not emptied from Saturday night until Monday morning. I complained of this, and asked to be removed, but it was not done.

Was no soil employed to prevent a smell arising ? Yes ; black soil was brought in for the purpose of being thrown over the excrement.

And was it thrown over it ? Every prisoner is supposed to throw some over when he uses the closet.

Was it thrown over, as far as you know ? I cannot say that it was actually done, but every prisoner was supposed to do it ; but I do not think that throwing the soil over would keep down the offensive smell.

These cells were some of them very dark, were they not ? Very dark.

Did you find a difficulty in reading in them ? I found it impossible to read in some of the cells on the top landing. I have often laid down at my full length on the floor to put the book under the door in order to get sufficient light to read it,

It was considered by prisoners a privilege to be in that portion of the cells which was less dark ? It was ; repeated applications were made to the governor to be put in such cells. In reference to the closets to which I have alluded, in addition to their being used by each prisoner separately, I may state that on a morning when the nightclops were collected by the orderlies, they were all thrown into a sink in this closet, and it would be

impossible to keep down the offensive smell from that sink. This closet was opposite the cell where I was located, some ten feet distant from my cell.

You found that the effluvium was very foul? It was very offensive, and especially on the Sunday, as the contents were not emptied from Saturday night until Monday morning.

Did you suffer in health from this effluvium? I suffered in health from the bad ventilation of the cells on the fourth landing, and I made an application to the governor, Major Noott, to be removed from this landing, but he would not remove me.

Is it not the case that afterwards you were removed to a lower cell? On application to the doctor, after the governor refused, I was removed to No. 1 landing, as spots had broken out on my chest.

A portion of the prison has, I believe, been rebuilt; a new wing, with stone cells of a superior kind, has been constructed at Dartmoor; was any of it constructed whilst you were there? The whole of it was constructed whilst I was there, and I assisted in the building of it; I was employed in various portions of that work, and I was located in that wing, I think, for two months before my discharge.

The accommodation in those cells is far superior to that in the iron cells? Yes; and the ventilation is everything that is desirable, and the light is far superior. In reference to that particular wing, I may remark that it is very damp in winter, and on the average I should say that fifty prisoners complain in a week about the damp cells in winter. The stone of which it is built is very porous.

That probably would be the case at first in any building, and especially so in that damp climate? Yes. They are very superior cells in the summer time.

Did you find any difference in the food at Dartmoor as compared with Millbank? I found a marked difference. I found that the food was far inferior to that either at Millbank or at Portsmouth. I may remark with reference to Portsmouth that the general belief amongst

prisoners is, that the food there is what it ought to be. The food in Dartmoor I found to be the worst in quality, and the filthiest as compared with the food at any prison that I have been in; that refers to the bread and the meat, but especially to the potatoes. The quantity of potatoes allowed to each prisoner in Millbank was one pound per diem, and the quality of the potatoes was very fair for a prison; but in Dartmoor I found the potatoes far inferior. I may say that for six months I did not, on the average, eat a pound of potatoes in a month, as they were so unfit for food.

Were any other vegetables substituted?—For about four months 12 ounces of carrots were substituted for 12 ounces of potatoes, and for about one month a pound of cabbage was substituted for the potatoes. The 12 ounces of carrots which were supplied in lieu of 12 ounces of potatoes for about four months in the year I found it impossible to eat; they were steamed, and at that time they were not even washed, and it would require a man to be ravenous to eat them. I found it impossible ever to eat the 12 ounces which were given, on account of their being dirty and of bad quality; they were such carrots as farmers in the north of England give to their cattle. In reference to the quantity of food, it is a subject of general complaint amongst prisoners in Dartmoor that they do not get the proper weight. Every prisoner is allowed to have his food weighed, but this gives a certain amount of trouble to the officers, who have to accompany the prisoner to the cookhouse, and the officers of course do not like having this duty put upon them by troublesome prisoners, as they call them, and it is often the cause of prisoners being reported because they give trouble to the officers.

What would you suggest as the remedy for that, the prisoner having now an opportunity of having his food weighed, if you find that that does not answer?—I would suggest the non-employment of prisoners in the cookhouse. I find that men employed in the cookhouse, having sufficient to eat, are about the worst enemies that the prisoners have; they eat the food themselves

which should be supplied to the prisoners. A certain quantity of food is sent in to the cookhouse for the total number of prisoners, and those men who are employed in the cookhouse eat it whenever they can get an opportunity. The result is that they are men who generally gain a large amount in weight while they are employed there, and I would suggest that only officers, or men connected with the establishment, should be employed in the serving out and the weighing of the food.

You say that you would have the officers employed in weighing the food?—In weighing and serving out the food in the cookhouse, and I would have no prisoner so employed at all.

In point of fact, do not the officers of the prison superintend the weighing?—They are supposed to superintend it, but the fact is that the work is left in the hands of prisoners.

Then you would suggest that the cooking department should be served by people from outside, subject to the supervision of the officers of the prison? Yes. Another complaint is, that in the prison cookhouse the officers who are employed in the prison who are not married have their food cooked in the prison, and that so much time is devoted to this that the food of the prisoners is not properly attended to; and the general impression, I think, which the public have in visiting those cookhouses is that the food which they see there being cooked and prepared is for the prisoners, whereas it is very likely for the officers who are messing inside the prison. I have often in Dartmoor received a pint of shins of beef soup which I could not eat, as it appeared to have been made from putrid meat; that is very frequent in Dartmoor. I never found that soup in Millbank but what I could eat it, but in Dartmoor I have found that I could not touch it.

Did you yourself make complaints of the character of the food? I never made any special complaints with reference to the food, as it was a general rule for 20 or 30 prisoners to be complaining every week to the governor, and no attention seemed to be paid to those complaints.

Did you ever make a complaint yourself which was not attended to? I never made a complaint in reference to the food. I made a complaint in reference to being located in bad cells, and that complaint was not attended to.

Who was the governor? Major Noott was the governor at the time that I complained of the want of ventilation and light in No. 4 landing.

But in the case where you say that you could not eat the soup, because it appeared to have been made of putrid meat, you did not complain of it? No, except in general terms, when I was asked by the director whether I had any complaints to make. I complained in last November, I think to director Fagan of my general treatment; but, as a general rule, men who make complaints bring down the antipathy of the officers upon them, and it is a means of getting into trouble.

You have spoken of the food in Dartmoor having been bad. Was it bad in any other respects besides that the soup was putrid and the potatoes were bad? And the bread was far inferior to what it was in Millbank or in Portsmouth.

Did you yourself find anything foul in the food besides the bad smell which you have spoken of? I often found beetles in the bread, and in the pound of suet pudding which was sent out every week, and in the skilley or water gruel, and in the tea.

How often did you find beetles there? On several occasions.

On how many occasions? I should think that I found beetles 20 or 30 times in my bread while I was at Dartmoor.

How long were you there? Six years and six months. Thirty times is the outside? Yes.

Did the other prisoners complain of finding the same articles? It was a common occurrence; in fact the cook-house and the bakehouse there swarmed with them, and the difficulty was how to get rid of them. I have heard some of the officers at Dartmoor remark that they threw boiling water over the floor at night time, but

that does not destroy them. In reference to the preparation of the food, I may say that in Dartmoor it is dirtier than in any other prison. Each man gets his food in a separate tin, and there are, I think, three prisoners told off in the cookhouse at Dartmoor to wash 1,000 tins every day, and I think that it is impossible for three men to wash 1,000 tins in two or three hours. I always found the tins in Dartmoor to be very dirty, and often filthy, as if they had not been at all washed from the previous day, and those dirty tins would give a taint to the food which was contained in them, when perhaps, it was not the fault of the food.

Did you ever see prisoners eat candles or anything else of that description? Yes, I often saw prisoners eat the remnants of candles, and I was often asked by prisoners to give them the remnant of my candle to eat. It was a common occurrence in Dartmoor for men to be punished for eating candles.

What reason did they allege for eating those candles? Hunger, not having sufficient food, I generally found them to be men of large stature, men who had not sufficient food to sustain them. I noticed a man on one occasion eat a poultice which he found in some rubbish which was being carted away.

Is it your opinion that the diet, supposing it to be sound of its kind, is insufficient? It is insufficient for a man of large stature, a man say six feet high, and 13 or 14 stone in weight, and working at hard labour in Dartmoor; I should think that it is impossible for him to retain his weight or his health on the amount of food served out to him.

Taking the prisoners at Dartmoor generally, from what you could see, were you of opinion that they suffered in health and lost their strength from want of sufficient food? I am of opinion that those men in Dartmoor who were employed at hard work, drawing carts and quarrying stone, suffered in their health from the want of food; but it is the rule in Dartmoor and in other prisons, that men complaining of losing weight are admitted to the Infirmary, and have extra diet given

them until they recover their flesh ; that is especially the case in Portsmouth. I think that men employed in Portsmouth at labour called "pugging up," that is wheeling clay to the brick manufactory, are weighed once a month, or once every two months, and if they are found to have lost weight they are sent to the infirmary. As regards Portsmouth, I must say that I have no complaints whatever to make with respect to the food ; the food in quality was what it was expected to be, and it was in quantity, I think, fair to the prisoners. At Dartmoor there are a large number of men employed in light labour, namely, in the tailors' shop, and the shoemakers' shop, and there I think the food would be sufficient even for a man of large stature ; but for men working on bricks and quarrying stone, I am of opinion that the food is not sufficient, and I think that the working on hard labour at Dartmoor must be injurious to the men's health.

On what labour were you employed at Dartmoor ? First, in breaking stones for a week or a fortnight until my hand became blistered from using the hammer. I was then put into a cart-party drawing coals, stones, rubbish, &c. Eight men constituted the cart-party, and my particular cart-party supplied the prison with coals, and drew rubbish about, and stone, and carted manure ; and that particular coal cart-party, as it was then called, was employed, in fact, wet and dry.

Returning to the subject of the food, did you see more than one person eat a poultice ? Only one ; I only mention that in my statement.

These are your own words, "I have seen men eat "poultices found buried in heaps of rubbish" ? I have seen one man, named Harrison, eat a poultice, but I have seen several men eat remnants of candles.

Have you seen men eat candles which were found in any unusual situation ? Yes ; I have seen a man named Ahearn, who was convicted in Canada and sentenced to five years for desertion, find remnants of candles in the cesspool which we were clearing out at the time, and rub them on his breeches and eat them. That

man subsequently died, I think in Portsmouth prison.

Was he the only man that you have seen eat this sort of rubbish? He was the only man that I have seen eat remnants of candles taken out of the cesspool, but I saw numbers of men eat remnants of candles.

Was anything else found in the food except black-beetles? Blackbeetles and sometimes horsehair, and pieces of old broom with which the bakehouse and cook-house were swept out, were found in the bread and in the soup, and bits of stone occasionally. I have often found pieces of coal in the shins of beef soup.

Will you proceed with your statement as to the work on which you were employed? After being for about a month, I think, in this coal cart-party, in pulling a cart, one day the collar which I wore across my breast caught the remnant of my right arm and almost forced the bone through the skin. I went and saw the doctor on the following morning; he was then, I think, assistant doctor King, who was afterwards removed to Portsmouth. On examining the stump of my arm he excused me from the cart labour; I was then put back to breaking stones; I remained at stone breaking for a number of months, and then was employed about the new prison, which was being built at the time. My particular employment there was assisting in mortar making, carrying tubs of water to the men who were employed in making mortar, and then using a large rake to stir the mortar up. I was next employed in winding up stones with a large iron crank; four men would be told off for this labour, and I was one of the four, and I should be expected to turn as much as a man who had two hands, or I should be putting on othermen and making their task harder.

Were you afterwards employed in breaking bones? Yes; afterwards I was employed in breaking putrid bones, and pounding them to make manure of, in a small shed which was built near the prison cesspool. I was employed at that occupation during the whole of the summer of 1872, with the exception of the five weeks in which I was in Portsmouth.

But other men were employed with you ? Yes ; the number would average 20 or 30, and was often down to 6.

Have you any special complaint to make, not as regards yourself, but of the manner in which the work was conducted ? I complained, and asked the governor, who was then Major Hickey, to remove me to some other employment. I complained that it was unhealthy, that the smell was offensive, and that it was injuring my health ; he told me that he could not remove me without the doctor's order, and the doctor refused to remove me.

Then do you complain of the doctor refusing to remove you ? I complain of the doctor leaving me in that employment while he admitted me to be an invalid. I may remark that we were all invalids who were employed at that labour, and that my being employed at that labour in summer time in this low shed, and being employed in the winter outside in breaking stones, was very significant, and that it should not be the employment of men who were looked upon as invalids, or even of able-bodied prisoners.

Do you think that this stone-breaking was unfit for a one-armed man ? It was unfit for any man in the winter at Dartmoor, as the cold there was intense ; but it was not very laborious for me, excepting that I was constantly using the hammer from morning to night ; it is not considered hard labour in Dartmoor.

As a punishment for convicts generally, would you see any objection to it ? It is not fatiguing ; my objection to it was being employed in winter in the open air.

Who was the doctor of whom you complain as having decided against you ? Dr. Powez was the medical officer to whom I complained of the bone shed.

Free men would be employed in the open air in the winter at such work as you have mentioned, would they not ? I expect so, but men employed outside would have warmer clothing and better food than I should have, and they would not be compelled to work every day ; they would not be compelled to break stones on a

cold day when rain and sleet would alternate, and they would have shelter. I do not wish it to be understood that I was compelled to work no matter what the weather was. If the rain came down in torrents of course I should be taken into a shed.

On a very rainy day the men would not go out to work? No. If the rain was falling when the men came back from prayers they would be employed in the prison in picking oakum or coir; but if they are sent out in the morning before the rain commences, and if the rain sets in at 9 or 10 o'clock, they are placed under some shelter to see whether the rain will cease; if it cease, although they may have got a wetting, they go out again, and it is repeated.

Do you think that they are subjected to more hardships in that respect than ordinary agricultural labourers would be subjected to? I should think that they are, because an agricultural labourer can seek shelter immediately, whereas no prisoner can leave his work until he is ordered to do so. Any officer having his men under shelter without there being sufficient cause for it, if he is found by his superior officer with his men unemployed is fined, and the officers are very reluctant to give the order for the men to fall in to go under shelter until there is proof that there is good reason for it.

May I ask you what was your ordinary occupation before you were in prison? My occupation immediately previous to my arrest was that of a commercial traveller in firearms, that was for twelve months previous to my arrest, and previously to that I was employed in a printing office in Haslingden, near Manchester. I was assistant letter carrier there for some years.

You were employed in all weathers? I was employed in all weathers, and I was also employed in a printing office attached to the post-office.

During the severe weather at Dartmoor there was some protection given to the men, was there not? Yes, there are large sheets of the material of which the cells are built, namely, corrugated iron, and they are simply raised up out of the bogs, and the men go behind them

for shelter when the rain comes on ; but I had to break stones in winter when snow was falling, and was on the ground. I had to remove the snow in the morning from the stones in order to find the stones to break, and I had to stand in the snow.

Is there not some protection given at Dartmoor to the hands by a bag or a glove when prisoners work in the open air ? Yes ; that has been the case since 1872. A small bag made of the same material as the prisoners' jacket is supplied. The men were laid up with chilblains and were incapable of work, and then an order was issued, I think, that they should be supplied with those bags or gloves.

The winter at Dartmoor, I presume, is severe from its being so high ? Yes ; it is the severest climate in which I have been in the United Kingdom, and the winters there are very long, lasting from November until May. I have seen snow on the ground there in June.

And there is a great deal of wet ? Yes.

How long were you a letter-carrier ? I was assistant letter-carrier from 1861 until 1867 at Haslingden.

Were you out every day ? Not every day. If the general postman was away on other duties, I took his place ; but I carried the mail-bags to the railway station, I think, twice a day during those years. I may have occasionally missed a day.

How far had you to carry those bags ? About three-quarters of a mile to the railway station.

Twice a day ? Twice a day.

You did not stop if it was bad weather ? No. The postal circuit in Haslingden was very extensive ; I often had, perhaps, to travel three miles to deliver a letter up on the hill-side.

When you arrived at Dartmoor were you searched ? No, I was not stripped as I was in Millbank.

That must have been special in your case, must it not ? I take it for granted that it was special, although I do not know that it was so ; the fact is that I was not searched on my arrival at Dartmoor.

Prisoners at Dartmoor are searched on arrival? They are; but on my departure to Portsmouth prison in June 1872 I was searched, and was stripped naked in the presence of 29 prisoners who were going with me; we were all stripped naked in what is called the reception room, and our clothes were searched; and on my arrival back again in Dartmoor from Portsmouth on the 16th of July I was searched; only one prisoner came back with me, and we were both searched together. That is a customary rule.

During the time that you were in Dartmoor were you frequently searched? Frequently.

And stripped? There are three kinds of searching. The first kind is the ordinary rubbing down; the jacket and vest have to be opened and the cap taken off, and the officer rubs the prisoner down from the neck to the ankles; he is supposed to avoid the private parts, but it is customary for officers who go beyond their duty to insult men by touching them in that particular place. I may remark that it is not a general rule, but it has been done to me, and it is generally done by officers who bear very bad characters, who are looking for opportunities to report men, and who often create opportunities by touching them in that manner; I must say that this does not apply to the generality of officers. The prisoners can often conceal bread in their trousers.

I suppose that as a general rule you have no fault to find with that searching? I think that it is a rule that ought not to be applied to a man who is not capable of murdering a warder; a man who is in prison for an offence which involves no moral obloquy ought to be exempt from it. I think that it ought to be dispensed with in the case of a man who is imprisoned for a political offence.

But with regard to prisoners generally, those who are guilty of ordinary offences, do you think that those searchings could be dispensed with? I think so. I think that some other method could be adopted, less offensive to a man's honour and feelings, than this searching four times every day.

What plan could be adopted ? I am not prepared to suggest a plan which would be better than that ; but I think that those who have the control of prison establishments could invent some other plan.

You have spoken of a man having the intention of murdering a warder ; but without having any such intention he may be desirous, especially if he is a clever fellow, of concealing some tool for the purpose of escape. How is that tool to be discovered except by searching ? I admit that some system of searching is necessary in order to keep up prison discipline.

You also admit that, except in the case of warders who go beyond their duty, and bad and ill-conditioned warders, the searching is decently conducted ? Yes. It is a fact that men conceal things in that particular private place, and an officer may suspect that something is concealed there, and may touch a prisoner in that manner simply to discover it, and it may not be his intention to insult the prisoner ; but in my case, as nothing contraband was ever found upon me, I think that when I have been so touched it was intentional, to provoke me to a breach of discipline.

Were you often touched in that manner ? I do not say very often, but I have repeatedly been insulted by one or two officers ; one of them was the man who reported me for refusing to "sir" him ; he was a man who had a particular antipathy against me for some reason or other.

Were these searches made by that man after you refused to "sir" him, or before ? Both before and after. He was most particular in searching, and I think that he often went beyond his duty in that respect.

Was he equally particular with other prisoners ? I think that he was in reference to the searching.

What is the next kind of search ? The next kind of search is the ordinary turning over on the searching of parties. The convicts are divided into parties ; the parties may number 80, or may be only five or six, and at regular intervals those parties are taken into the punishment cells (a place is set apart for searching

as well as for punishing prisoners), and each man is stripped to his shirt, his clothes are carefully looked over by a warder, and then he has to open the button of his shirt, and his wristbands, and to hold out his hands, and to open his mouth, and the officer rubs down the body outside the shirt, back and front, and the prisoner must stand in that condition until the officer looks over his clothes, and then he dresses himself.

How long does that search occupy? About five or seven minutes, sometimes more, according to the officer's dexterity in searching the man.

Do you mean five or seven minutes to each man? There is one officer to each man. If there are more men than officers, the men for whom there are not officers available have to stand in the presence of another officer while the other men are being searched, and then when an officer has completed searching one man he takes another.

Have the convicts to stand naked, excepting their shirt, whilst the officer is examining the other prisoners? The prisoner first divests himself of his clothes before the officer examines any of the clothes, then the officer rubs his hand down his body, and then he makes him open his mouth; he then examines the drawers, and the man then puts on the drawers, and he then examines the stockings, and they are put on, and so with every article of dress.

You have said that when the officer is not ready to search a man, he has to stand until the officer comes; does he stand divested of all his clothing except his shirt for some time before the officer comes? No. If there are a number of prisoners more than there are officers to search them, those prisoners are ranked along in single file until the others are searched.

Keeping their clothes on? Yes.

What are the stripping searches? The stripping searches are special. If an officer suspects a prisoner of having anything concealed on him, such as a piece of paper, or a pencil, or tobacco, or a nail, he can go to the principal warder and have that man stripped naked.

No man can be stripped naked without the order of the principal warder? No. That is one case where a man is stripped naked; another case is that at night after the men are in their cells, after the day's employment, if a warder suspects that a man has anything contraband in his cell, he can bring the prisoner out on the landing and strip him there naked, and have his cell turned over and searched in the meantime.

Without reference to the principal warder? The principal warder is in the prison, and the principal warder gives the order to the warder on the landing to search whatever prisoners he thinks necessary. Then when a man is reported, no matter whether he has committed himself or not, if he is reported even on a groundless charge, he has to be stripped naked on reaching the punishment cells; he is stripped naked in the hall outside, and then goes into the cell, and his clothes are searched and thrown in afterwards. Those are the different kinds of searchings.

Is a prisoner stripped in the presence of any other prisoner in any of those cases? In the last case, if two prisoners are reported at the same time, the searching may be going on in the same hall, so that both prisoners will see themselves searched. In the preceding case it is in the cell.

Does the warder touch your person when you are naked in any way? I have never been so touched when naked, but I have heard prisoners say that they have been touched, of course you can take it for what it is worth.

Then your remark in your paper about being touched in an indecent manner by a warder whilst being searched applies only to the rubbing down? Yes; I have never been touched when stripped naked; I have simply been asked to stand wide and hold out my hand wide, and open my mouth.

Have you ever been made to stoop while being searched? Never in Dartmoor, only in Clerkenwell, and on my reception in Millbank.

Had you a bath regularly at Dartmoor? I had a

whole bath once a fortnight, and a bath once a week for feet washing ; but while I was employed in the wash-house, for I think about eighteen months, I was allowed the privilege of an entire bath every week, as the work was very laborious, and the men sweated very much.

Was the water of these baths changed, or had more than one prisoner to use the same water ? The water is supposed to be changed when prisoners bathe all over, but prisoners are not often fortunate enough to get a clean bath for bathing all over. For instance, three wards may have to bathe in one night, the first ward that goes down will get clean water, then it depends upon the prisoner who has charge of the bath whether the next batch will get clean water or not ; it is an amount of labour for him to turn off the dirty water from 30 or 40 baths, and he very seldom does so ; but the order is that when a prisoner bathes all over he is to bathe in clean water.

Is not a warder present at the bathing ? Three or four warders are present.

Is it not their business to see the water turned off ? No ; but it is their duty to see that the prisoners pass nothing and do not misbehave themselves. Complaints are made to the warder by the prisoners that they find the water dirty, and he complains to the principal warder.

Have you known, as a fact, of the water after one prisoner has bathed being left for another bath ? Yes.

Do you actually know of your own knowledge that the water is used a second time for a second batch of prisoners ? I do, and I have often refused to bathe on that account. The baths at Dartmoor are worse constructed than in any other prison. In washing your feet it is an understood thing that the water is not to be changed. In two or three wards the men may wash their feet in one water, and that is according to order.

With regard to the warders generally at Dartmoor, did you think that their treatment of the prisoners was generally fair, or the contrary ? While Major Hickey was governor there, I think that the warders exceeded

their duty, as Major Hickey appeared to be negligent of his duties, and I think that he was afterwards removed from Dartmoor on that account.

You found an improvement afterwards in the conduct of the warders? I found an improvement as far as the prisoners generally were concerned under Major Noott, the governor who succeeded Major Hickey; but I found, as regards myself, that the change was much worse, as Major Noott appeared to have some particular antipathy against me, in punishing me for simply refusing to "sir" an assistant warder, and I found that he always refused my applications.

Did you see any warder strike a prisoner in Dartmoor? I have often seen warders strike prisoners in Dartmoor.

Was that on the occasion of an attempt on the part of a prisoner to assault a warder? It would be generally through the prisoner using threatening language to the warder, or threatening to strike him, and the warder would strike the prisoner with his staff.

Did you see any prisoner severely injured in that way? I saw a prisoner knocked down in that way without any provocation whatever; it was a man named Ruotta, an Italian, who had been sentenced to five years; he made an attempt on the life of the governor of Woking prison by striking him with a nail one morning on coming out of chapel; he was tried again and got 20 years' imprisonment. He was doing his probation in Millbank at the same time that I was, and I noticed that he was constantly under punishment; I think that a single week did not pass by while I was in Millbank that he was not under punishment. He afterwards died in Dartmoor. On proceeding to Dartmoor I found that he was there also, and I saw him in the punishment cells on the first day that I arrived there. He was shortly afterwards found with a large nail in his possession, concealed in his sleeve, and he got, I think, 28 days bread and water for it. I lost sight of him for about 18 months, and when I saw him again he had lost his right arm. I was told that it was

through leaning against the damp walls of the punishment cells under the infirmary at Dartmoor; that mortification set in, and that the arm had to be amputated. I was told this by prisoners. On finding that he had lost an arm I inquired of the prisoners how it was, and they gave me this account. I saw him with only one arm going across the parade one morning; he was then attached to the tailors' party, and he appeared so weak that he could not keep step, and was lagging behind. I saw the officer strike him with his staff, not on the whole arm, but on the shoulder where the arm had been amputated, and he fell on the parade; I saw this. I saw principal warder Coffey go across to the officer and appear to reprimand him for striking the prisoner; the prisoner was taken to the punishment cells, and I did not see him for about three or four months afterwards.

After he had been knocked down, as you say, was he taken to the punishment cells? He was taken to the punishment cells, but whether he was sent from there to the infirmary or not I do not know. I know that he was taken in the direction of the punishment cells, which were at right angles to the infirmary.

What sort of blow was it; was it a severe blow which would have knocked an ordinary man down? I saw the officer strike the man on the shoulder, and I saw the man fall; but he was in a very weak state of health, and it would require very little to knock him down.

Were you near enough to ascertain the reason of his being struck down? The reason appeared to me to be that he was not keeping up with the party.

Was there any altercation? I was not near enough to see it. I was then attached to No. 31 party, which fell in at the bottom part of the parade, and this man, when he was knocked down, was about 50 yards distant from where I stood; it was not perhaps fifty yards, but I will say 50 at the outside. He died about four months after I saw him.

Did you observe any difference between the conduct of the warders who had been in the naval or military

service and the conduct of those who had been civilians? I noticed that warders drafted from the army or the navy were more severe; they liked to show their authority more than warders drafted from the artizan class; and I found officers from the artizan class generally more intelligent, and appearing to me to perform their duty better (that is, with regard to the reformation of prisoners) than officers drafted from the army or the navy.

Would those warders of whom you are speaking be for the most part trades warders? Trades warders; but there were very few in Dartmoor. The principal number of the warders in Dartmoor appeared to be from the army and the navy.

You have mentioned several times that statements have been made to you by prisoners; was there much communication between prisoners at Dartmoor? On the Sunday prisoners are allowed to exercise together. A prisoner who is promoted to the first class has three periods of exercise on Sunday; he can walk with whatever prisoner the officer chooses that he should walk with on Sunday; and this is generally the mode of communication. In working, it is almost impossible for one officer over a party to prevent talking, although the penalty for talking is bread and water; but the principal means of communication is by the exercise on Sunday.

Apart from that opportunity do you think there is much communication between prisoners? There is; they get hold of pieces of pencil and communicate one with another, despite the vigilance of the officers.

Did you hear much foul and disgusting language amongst prisoners? Yes, often; in fact the general run of prisoners appeared to be men who delighted in that sort of conversation, and I have often heard it in chapel during service; men pretended to be following the prayers, but they were holding conversation with a prisoner either on one side of them or in front of them, taking advantage of the prayers, which were said loudly, to carry on this conversation, passing remarks on the

ceremony, and using foul and filthy language ; in fact; that appears to be the general discourse amongst the majority of men whom you meet in convict establishments ; that and accounts of their exploits, the celebrated burglaries in which they have taken a part, and boasting of this to men who have not had the honour of being convicted three or four times. An offender of that sort is looked up to in prison by the general run of convicts.

Looking at it from an outside point of view, you would think it desirable that such conversation should be repressed ? I certainly should.

Should you then desire to see all the Sunday association, while the prisoners are walking, stopped ? I should not desire to see it stopped entirely, because that would punish men who would not deserve to be so punished ; but I would suggest that men should be classed according to their crimes ; that habitual criminals should be kept entirely separate from men convicted for the first time, and that old gaol birds should on no account be allowed to associate with young boys. Even in chapel I have noticed what I should be almost ashamed to mention, attempts made even in chapel.

You mentioned just now that prisoners are able to communicate with each other by having pencils ; how do prisoners get pencils ? In every prison there is a joinery department, and in Dartmoor 40 or 50 men are allowed the use of pencils ; although those pencils are counted by the warder who is in charge of the party, they manage to steal some of them, and it is a matter of barter, a man stealing a pencil will sell it to a man who wants it for a loaf of bread.

They do not get those pencils from the warders ? No ; there may be instances where a warder would give a prisoner a pencil, but it would be at the risk of being dismissed, and probably imprisoned.

Do you think that the warders are in the habit of introducing things into the prison for prisoners ? There have been a few cases in Dartmoor where warders have been detected in trafficking with prisoners, and they have been dismissed, but it is not general.

Did you observe tobacco in the possession of prisoners? Tobacco is often found.

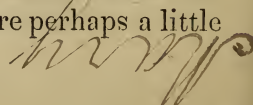
How does it get in? The general supposition is that it is brought in through the instrumentality of some warder, or from men who work outside the prison walls. In going outside the prison, these men working in cart-parties, and so on, often have cigars and pieces of tobacco thrown down to them by passers by, purposely for the men to pick them up. Then men are employed outside in repairing houses and so on, and they very often pick up tobacco from the people whom they meet, although they are in charge of a warder.

When they are walking in association, are the prisoners able by a little shifting of place to get next to some man with whom they want to walk? There was a good deal of that, but for the last 12 months in Dartmoor it was strictly forbidden; the officers were ordered to report any man who had changed his place; under the present orders in Dartmoor a man must fall in exactly where his officer places him.

After he has once been placed, is it not the case that occasionally the prisoners change places? Yes; a prisoner may go to a man who is before him when the officer's face is turned, but he does it at the risk of being reported. In 1871, 1872, and 1873, the prisoners in Dartmoor were invariably allowed to select men to walk with on Sunday—that was by order of Major Hickey—but that privilege was never allowed to me; when I asked to walk with a particular man in prison I was not allowed to do so, but that privilege has now been entirely discontinued.

In this association you would separate criminals of old standing from others, and would place them together, and not allow them to communicate with prisoners who had been convicted only once, or perhaps twice? Unquestionably I would. I think that that is the great evil of the present system—namely, allowing old criminals to be associated with young prisoners.

To a certain extent that, of course, would throw the old criminals together, and might require perhaps a little



more supervision on the part of the warders? Yes; but it would require all the less supervision in reference to the prisoners from whom they would be separated. I believe that numbers of men are corrupted, and are made habitual criminals, by association with those men; and it is generally habitual criminals who carry on the trafficking in prison, and involve men who are new to prison life in difficulty by their taking part in it.

Did the priest frequently visit you at Dartmoor? I think that he visited me about four or five times during the six and a half years that I spent in Dartmoor; but I may remark that if I wished to see him I had the same privilege of seeing him as other prisoners had. He is supposed to go round at stated intervals to see every prisoner; at least he had the practice of going round in former years to visit prisoners periodically.

Was there confession after chapel?—He sees a certain number of men for confession every week.

Does he see them in their cells? In their cells.

You made a statement that Mr. Francis, the chaplain, was removed from Dartmoor for protesting against the ill-treatment of some prisoners? I was told that that was the reason why he was removed. He was a Protestant gentleman, and generally saw both Protestant and Catholic prisoners, and he interfered if they were unduly punished or got too severe a sentence passed upon them. I was also told that he often reprimanded officers for using abusive language to prisoners, and threatening to report them for non-performance of their task; and I was told that complaining to the Board of Directors of how a prisoner had been treated in the punishment cells at Dartmoor he was removed; I do not know whether that is true or not; that I know only upon the statement of prisoners, and it must be taken for what it is worth. I think that the gentleman is now in Glasgow, but I am not sure.

In your statement you mention that the medical men who are appointed to be the prison surgeons are insufficiently educated? That is the general belief amongst

prisoners, and from my own experience I certainly should think so.

You think that they are not competent men ? I think not.

Can you give any illustration which would show that they are not competent ? I can. There is one instance of a prisoner named Madden, whom I often observed to fall out to see the doctor in the morning when going out to work. Those men who fall out to see the doctor are called "casual sick," and after seeing the doctor in the infirmary, they are sent down to light labour to work until the dinner-hour. I noticed that this man fell out several times to see the doctor, and he was never admitted to the infirmary to my knowledge. One morning I observed him drop dead on the parade, and I believe that it was from heart disease, or from bursting a blood-vessel or something of that sort. I think that when he was examined by the doctors, if they had had sufficient knowledge to have detected his disease, they would have admitted him to the infirmary.

Is that the only case ? No. Another prisoner named Mason, who was employed in the stone cart-party, often applied to the medical officer to have some information as to what his internal disease was ; he complained of something inside which he could not exactly define, and no relief was given to him. I noticed that one Sunday he left the Catholic chapel very pale, and he died on the following Wednesday from ossification of the lungs. I think that if the doctor had been skilful enough he could have detected that man's disease. With reference to the want of knowledge of the doctors, there is another case, the case of a man named Fraser, who had been an army chaplain ; he got a five-years' sentence for forgery, I believe ; he was evidently a gentleman by education, I noticed him at exercise one Sunday, I think about nine months ago, and he appeared to be healthy and having nothing particular the matter with him. He went to the infirmary the following morning and complained about a stricture from which he was suffering. He was operated upon, and the operation.

was so unskilful that he died under it ; and the general belief among the prisoners was that he died owing to the unskilful manner in which he was treated.

In a case like that, and in the other case of ossification of the lungs, you of course are speaking of the general belief of the prisoners ? Yes, and from my own observation ; observing prisoners falling out repeatedly and seeing the doctor, and not getting any relief, and those prisoners afterwards dying, I conclude that the death was accelerated by the cause which I have mentioned.

What was the name of the medical officer who performed the operation of which you have spoken ? Dr. Anderson, the assistant officer, assisted by the medical officer, Dr. Power, I think. Dr. Power is the medical officer of Dartmoor prison, and has been so since I first went there, so that he would examine all prisoners complaining ; but the principal amount of the work is left to the assistant medical officer, and the assistant medical officer was changed three or four times while I was in Dartmoor.

Dr. Anderson was the medical officer who attended Mr. Fraser ? He was the assistant medical officer at that time, so that I presume that he would attend him.

Is it the custom for the senior medical officer to see the casual sick ? It is not generally so ; he occasionally does inspect them, but the principal work of inspecting and examining convicts devolves on the assistant medical officer.

And you cannot tell who the officer was who saw these three prisoners who died ? I cannot. It might be either one or both of the medical officers.

Did you often hear prisoners who applied to the medical officer as to some ailment from which they suffered, complain that the medical officer did not examine them ? I have heard general complaints from all the prisoners about the want of attention of the doctors.

Especially upon that point ? Especially upon that point.

Was it a common complaint of prisoners that they

were not examined, meaning that their body was not examined, or their heart or lungs tested? I have heard men complain that they were not sufficiently examined. Every man has the right of being examined by the doctor if he demands an examination; but the general complaint which I heard was that the doctors had no knowledge of internal diseases and did not know what remedy to apply.

Do you happen to know whether the prisoner who dropped down dead was examined by auscultation, by placing an instrument to the chest? I do not know. I noticed his falling out repeatedly, and when he came down from the infirmary he was put to work at breaking stones, and I noticed him dying. I was not surprised at his dropping down dead.

At what time does the assistant-surgeon attend to see the casual sick? The casual sick fall out in the morning from their respective parties. They are marched up to the infirmary, and each man is stripped naked. Formerly he would be admitted inside the infirmary before he would be stripped. When I left Dartmoor he had to strip outside in the porch, the entrance to the infirmary.

Is that a covered place? It is covered, but there is a door opening from the yard in. It is a stone porch.

Do the prisoners strip in a place which has neither windows nor doors, but has merely a cover? There are windows. It is entered into from the yard to the porch, and inside this door I understand that the prisoners have to strip.

Do you know that of your own knowledge? No; I have not been stripped outside myself, but I have been inside. Prisoners are stripped in this porch now, and have then to wait in a hall in the infirmary for two hours until the medical officer or his assistant comes round to hear complaints.

They do not wait stripped the whole time? No; they are stripped merely to be searched by the warders; they are stripped naked.

And they are allowed to dress again immediately. Yes.

And then they wait until the medical officer comes round? Yes.

Did I understand you to say that they waited for two hours? The parties march out to work at seven in the morning, and the men who want to see the doctor fall out. They go to the infirmary, and the doctor comes round between ten and half-past ten.

How long is he occupied in seeing the casual sick? It will depend upon the number of men that he has to strip and examine.

He does not strip them all, does he? He strips those whom he wants to examine, if he thinks that they are suffering acutely, and if they are unfit to perform their ordinary labour. I have been several times examined by the doctor.

How did he examine you? By the stethoscope, when I complained of palpitation of the heart.

When men go up as casual sick in this manner, how is the medicine given to them? The doctor orders them medicine at once, and if a prisoner does not receive medicine he is liable to be reported for falling out without sufficient reason.

Does he take the medicine immediately; does he take it there and then? Yes.

At about what hour of the day? At about half-past 10 or between that and 11 o'clock. The examination of the casual sick generally takes place between 10 and 11; half-past 10 is about the average time. If men are so bad that they cannot work, they are admitted into the infirmary by the doctor.

Does the doctor visit the sick in the cells at all? The casual sick put down their names in the morning to see the doctor at dinner time; he comes in at the dinner hour into each hall in the prison, and sees the men who have put down their names in the morning, and gives them what medicine he thinks they need.

Does he give it to them there and then? Yes.

Do they take it whilst he is there? Yes.

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That is in the dinner hour? Yes; a man who puts down his name in the morning to see the doctor has to sacrifice almost three-fourths of his dinner hour.

Does he take the medicine while he eats his dinner? That depends upon himself; he may eat his dinner first, but I believe that the general rule is for the men to leave their dinner in the cell until they have taken their medicine.

You fell out ill at Portsmouth on one occasion? Yes.

What was the matter with you? I was suffering from quinsy or bronchitis. I had been suffering from bronchitis previously to my imprisonment. I had an attack I think of quinsy, and I fell out to see Assistant-doctor King, who had examined my shoulder in Dartmoor at the time when I had met with the accident in the cart party.

What did he do to you? He examined my throat and told me to put out my tongue, he said that there was a little inflammation, but nothing serious, and he ordered me to be reported for falling out without sufficient reason.

Were you punished for it? I was brought before the governor and was admonished; I was not punished, as the officer in charge of the ward testified that I had been unable to eat food for two days.

Why did you not eat food; could not you swallow it? If my throat was inflamed I could not swallow it.

Had you any other illnesses whilst you were in confinement? Not whilst I was in Portsmouth; but during my imprisonment I contracted what I am told is heart disease; the first symptoms of it I experienced in 1873.

Where were you then? In Dartmoor. It was in the latter part of 1872 and the beginning of 1873.

And you complained of that to the doctor, who examined you with the stethoscope? Yes; I also complained to Dr. Anderson of suffering from bronchitis; and these complaints were made when I asked to be removed from stone-breaking in winter. I was examined

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by Dr. Anderson, and told that he could see no trace of bronchitis.

When you had the attack of quinsy you were still required to work? Yes.

Were you able to eat your food? No, I could not touch food for two days, and the officer on the landing testified to it. I went on working. I was on what is called "light labour" at Portsmouth: that is, piling up wet bricks to dry.

How long were you at Portsmouth? I left Dartmoor on the 11th of June, 1872, and was sent back to Dartmoor on the 16th of July. I was five weeks at Portsmouth. In going to Portsmouth first, I was one of a batch of 30 prisoners, and I made an appeal to the chief warden, who superintended the handcuffing and the chaining of the men, to substitute a body belt instead of a handcuff, as prisoners who are transferred from one prison to another have one hand free; one of their hands is handcuffed to the prisoner who is next to them. I applied to the chief warden not to handcuff me, as it would render me altogether helpless, and I asked him if he would kindly substitute an iron belt to go round the body, but he refused to do it. I then asked him to put me at the extreme end of the gang of 29; he refused to do so, and I was handcuffed between two of the dirtiest men of the 29; one of them was the man whom I have already mentioned as eating the candle from the cess-pool, and who subsequently died; he was suffering from offensive breath. The man on the other side was equally dirty. I was put between the two, and handcuffed to the man who had the offensive breath. I believe that it was done by the chief warden in Dartmoor to annoy me. The man to whom I was handcuffed had an attack of looseness in his bowels while we were in the train, and he had to unbutton his clothes; my hand was handcuffed to his while he was easing himself, and the officer would not unhandcuff my hand while I was in that position. I was complaining of this after my return to Dartmoor, and that, I believe, caused the prison authorities to cut my beard and whiskers.

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Do you know the name of the officer who was in charge of you at that time? Principal-warder Keech while we were going to Portsmouth was in charge of the batch.

Was he the person to whom you applied for permission to be released from the other prisoner? No; it was Warder Croker; he was an assistant with Principal-warder Keech. A principal warder is sent with every batch of prisoners.

You say that you think it was done to annoy you. Is it not possible that, rightly or wrongly, there was an apprehension lest you should escape or lest any attempt should be made to get you free? I cannot answer that question. I do not think that there was. I think that if there was any such apprehension I should not have been sent to Portsmouth, as Portsmouth was an open prison. With reference to the refusal of the officer to unhandcuff me, I believe that strict orders are given that no prisoner is to be unhandcuffed after leaving one prison until he reaches the other.

Have you any particular complaint to make of your treatment at Portsmouth? None, beyond the report for falling out to see the doctor. In reference to the food, I found the food at Portsmouth to be better than in any other prison, and I did not hear any prisoner in Portsmouth complain of either the quality or the quantity of the food. On my return to Dartmoor I was in company with a notorious character, who had the name of being a madman, or, as is expressed in prison slang, a "balmy bloke." I was handcuffed to this man in the same manner, and while we were waiting at Exeter for the train on to Plymouth this man succeeded in divesting himself of a part of his clothing in the lock-up at Exeter. He is a notorious gaol-bird, and is, in fact, literally a madman; I was handcuffed to him on the return journey to Dartmoor.

You were not punished at Portsmouth for seeing the assistant-surgeon unnecessarily? No; I was admonished by the governor. There was a rule in Dartmoor that a man who felt that he could not work could fall out in

the morning to see the doctor ; but this rule does not apply in Portsmouth, as Portsmouth is an able-bodied station, and Dartmoor is looked upon as an invalid station ; and so the governor in Portsmouth explained to me that the rule which would permit me to fall out in Dartmoor did not apply in Portsmouth, and that if that rule was applied there he would have so many men falling out in the morning that he could not carry on the work in the prison.

That is to say, a man may fall out, but it is at the peril of being reported if the doctor does not think that his complaint is sufficient ? Exactly so.

What was the state of the clothing which was supplied to the convicts at Dartmoor ; was it sufficiently good ? It was sufficient in summer, but in a place like Dartmoor it was not sufficient to keep out the cold in winter ; but since 1872 a jersey has been added to the ordinary clothing in winter. I do not know whether this applies in other prisons as well, but I think it does.

Were there any coroner's inquests at Dartmoor while you were there ? Numbers ; and the general belief among prisoners is that it is one jury which is always summoned, and this jury is composed of men who are dependent upon the prison.

You mean persons who supply the prison with provisions and other articles ? Discharged warders and others, who supply vegetables, or are employed about the prison.

Were there many accidents whilst you were at Dartmoor ? Four men lost their lives during the erection of the new prison, three of them on the prison building itself, and the other man in quarrying stone for the prison. At the time that the three men lost their lives on the prison building, the whole number of men employed on this building were under the charge of a prison warder named Gardiner, who had the superintendence of the scaffolding and other matters in connexion with the building of the prison, and my belief is that it was from the want of knowledge of scaffolding which was

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exhibited by this Gardiner that three of those men lost their lives.

In that case there was an inquest ? An inquest was held.

Can you tell us whether at that inquest, or at others, prisoners were examined before the jury and coroner ? That I cannot say positively, but I presume that some prisoners would be examined. I was employed at the prison in winding up stones on the iron crank at the time when one of these accidents occurred ; a man named Brooks being employed raking the inside wall of a cell, and standing on a single plank laid across some tressels, the plank capsized, and the man fell to the bottom of the prison and was killed. I noticed that immediately after this a better scaffold was put up, and that if the jury came to inspect the scaffold, as I presume they did on the following day, they would not find the same scaffold which existed when the man fell.

I wish to call your attention to a letter which was read in the House of Commons, in which you say, "When a man dies here, either by induced disease or from excessive punishment on starvation diet, a jury is composed of persons who are almost all connected in some way or other with the prison, and come to the very convenient decision that 'death resulted from natural causes.' It is always the same jury, men living outside the prison walls." Then you add, "In the foregoing statement I have exaggerated nothing." That is different from the evidence you have just now given, inasmuch as in this letter you state as a fact, "It is always the same jury, men living outside the prison walls," whereas you now state that that is the belief of the prisoners ? I could have no positive knowledge, as a prisoner, of those facts, but I simply stated what I was told and what was the general belief of the prisoners.

May we take it that in other letters which you have written and which have been read in the House of Commons, you are in many cases speaking of things which you have been told, although they are stated in those letters as facts apparently within your own know-

ledge ? I believe them to be facts and state them under that belief, from the information which I have received from prisoners who were more conversant with the discipline in the infirmary, and were working outside the prison walls, than I was, as I was never allowed outside the prison walls nor allowed to be employed in the infirmary.

You are under the impression that you were treated with exceptional harshness during your imprisonment ? I am.

Upon what do you ground that impression ? I ground it upon the fact that I was more strictly watched while I was in Dartmoor and in Millbank than any other prisoner ; that while conforming to the prison rules to the very letter, I was deprived of the privileges to which such conformity to the rules entitles all the prisoners. I was allowed no visit during my imprisonment, notwithstanding having made four or five repeated applications to be allowed a visit when due.

Those were applications for visits from particular persons, of course, named by you ? Yes ; particular friends named by me as desirous of my seeing them, and repeated applications have also been made by friends of mine outside to see me while I have been in prison, and those applications have been severally refused.

By "friends" do you mean relations ? No, but friends. I had no relatives in England, my family were resident in America, and they had been so for some time previous to my imprisonment.

You are aware that with regard to all convicts the authorities exercise a discretion as to whether or not they should be allowed to see particular persons ? I am aware that the rules specify that, but I am also aware that this rule is seldom or never enforced, and I have known prisoners to receive visits from friends not relatives.

Certainly, but what I asked you was whether you were aware that the rule in prisons which is laid down with regard to visits, is that whilst the prisoners are allowed to receive visits at certain stated periods, the au-

thorities exercise a discretion as to the particular persons whom the prisoners are allowed to see ? I think that the rule states that communication with friends who are not found to be respectable will not be allowed ; and the general impression which I have had upon that rule is that disreputable characters will not be allowed to see prisoners.

But supposing that the person confined was imprisoned on account of a conspiracy, and supposing that he applied to see fellow-conspirators, might it not be that the Government would consider themselves justified in exercising a discretion to refuse them permission to see him ? In that case if a prisoner is so foolish as to expose the liberty of his friends by asking to see a fellow conspirator, the authorities are perfectly authorised in refusing it.

I only ask you whether that may not be the explanation of the course which was pursued towards you ? In that case prisoners are told, when they make an application to see a friend, why they are not allowed to see that friend, and I think that the authorities ought to have followed the same rule in my case.

You were allowed to communicate with, although you were not allowed to see, persons other than your relatives ? Yes.

Did you receive any communication by letter from any relatives or friends during your imprisonment ? I received three letters from friends who were not relatives during my imprisonment ; but I principally corresponded with my mother, who was in America, and there was no obstacle to my corresponding with her except when I was reported and had to pay the penalty of being deprived of correspondence. I wrote three letters to friends who were non-relatives, and I think that if I was permitted to write letters to them I ought also to have been allowed to see them. I think that there would have been a more reasonable objection to writing to a fellow-conspirator than to seeing him, because then the authorities would have a double advantage, first, of seizing the fellow-conspirator, and, secondly, the advantage of hear-

ing anything which transpired contrary to the law of the country.

Was there any further treatment in your case which you consider exceptional, over and above what you have already mentioned, namely, your being placed in the penal cells at Dartmoor? Yes; there is another proof of my exceptional treatment, and it is this; prisoners who do not like certain employments, or who believe that certain employments are injurious to their health, can make application to the governor or the doctor, to be put to more suitable employment, and as a general rule those applications are granted. I made repeated applications to the governor at Dartmoor to be transferred from one party to another, and was never transferred except on one occasion, when I was removed to the second class, and it was necessary for me to perform hard labour before I would be allowed the privilege of tea instead of gruel.

Do you think that these refusals had a connection with the offence for which you were convicted? I think so. I was successful on that occasion in being transferred because I could not be allowed tea while on light labour, and so I went to hard labour. That was the only occasion when I did get my application. I applied to be removed from the bone-breaking, and it was refused. I applied twice to Governor Noott to be removed from the stone-breaking, and was refused.

I see that on June the 20th, 1874, you applied for change of labour; the note made on this record is, "Some work will be selected for you"?—But that work was never selected; that recommendation was by Major Noott. I was breaking stones, and was never transferred. The next transfer, I think, was being removed into the prison wash-house and put to the hardest labour that I ever had at Dartmoor; that was not on an application, but was for greater security, I believe.

You also applied to be exercised with prisoner Chambers, who had been imprisoned for the same offence as your own? Yes.

That application was refused? Yes. That application

was made when prisoners were allowed a companion to walk with on Sunday.

When you were placed in the penal cells for, as I believe, security, you complained? I complained to Governor Harris, I think, three or four times.

And eventually you were removed? I was removed by order of Director Fagan; I think that it was last November; he visited me in my cell, and asked me to make what complaints I had to make.

How long were you in the penal cells altogether? I was removed into the penal cells for location on the 16th of August, 1876, and I remained there until November, 1877.

Previously to that you had been in the corrugated iron cells? Yes, except when reported. In addition to the shouting and noise at night, there was a regular inspection, a special inspection, of myself and Mr. Chambers once every hour through the trap door.

Through the trap door with a lantern? Exactly; I complained also of that to Captain Harris, that it woke me up every hour. There is another matter which has been mentioned incidentally; I think that an order has been read out that my cell was not to be searched too often in Dartmoor in 1872. I made a complaint to the then governor, that my cell was searched almost every wet day needlessly. I was then employed in the cart party drawing coal and stones, which has to be done in all weathers, and on coming in on a wet day I found my bed-clothes lying about and on the floor; it would take me an hour at least to put them to rights, and that was my dinner hour.

With respect to the inquests which took place upon prisoners who met with accidental death in the prison while you were at Dartmoor, was the evidence of any prisoner tendered? I think so, but I am not certain.

Was it taken? I think so; I think that one or two prisoners were examined, but I am not sure, as of course I have no positive knowledge.

In any case which you have seen of violence to a pri-

soner on the part of an officer, are you aware whether the testimony of other prisoners who have witnessed it, has been taken ? No reliance whatever is to be placed on the statement of a prisoner ; his statement against an officer would not be accepted at all.

Have you known any case in which a prisoner, or several prisoners in a gang, have seen unjust and cruel treatment on the part of an officer towards a prisoner, and have tendered themselves as witnesses of it to the director ?—I have been told of prisoners who have seen such acts reporting the circumstance to the governor, but I never found out that their reporting it brought any consequence to the officer. That is the one degrading point in a convict's life ; he is told that no credence whatever is placed on any statement which he makes ; and a statement of a prisoner against an officer would simply be listened to by the governor, but no action whatever would be taken upon it. There was one instance, I think, of unmerited punishment (I do not know whether I have mentioned it in my statement, but I have mentioned it in the pamphlet), where a boy of the name of Murphy was knocked down in Dartmoor ; he was felled by the butt end of an officer's rifle. The warders outside the walls carry staves and rifles. He attempted to strike principal warder Wesley with a rake ; that principal warder has the name of being the strictest officer in Dartmoor ; he told this boy, who was of an excitable temperament, that he would be reported for not attending to his work, and he attempted to strike him, and was felled with the butt end of the rifle. Five men in the party cried "shame" on seeing the boy so knocked down, and they were tried on the following evening by directors Moorish and Fagan, if I recollect rightly, and they each received three dozen lashes and 28 days bread and water, and had to wear cross-irons for six months. I think that if that boy Murphy had not been doing sufficient work it would have been better for the officer to have reported the fact to the governor, without provoking him and telling him that he would report him, and that he would lose his dinner. In that

case there would have been no necessity to punish the five men.

How did you acquire a knowledge of these facts? On Sunday at exercise from prisoners who worked in the same party; and I was at that time located in the penal cell, and saw Murphy on the evening when he came in with a gash in his forehead, where he had been knocked down no doubt by the rifle. Those men were located in the punishment cells, and I saw their sentences over their doors.

With regard to the offence which the boy had committed, and the assault of the warder, you were merely informed by hearsay?—By the prisoners.

You merely repeat what you were told? Yes.

In your pamphlet I observe a statement that you heard a paralysed man appeal for a drink of water to the deputy governor of the prison, and that the reply to that appeal was, “You have water inside your cell door; if you want it you can get up for it.” Where did this occur? In Dartmoor, to a prisoner of the name of Bidwell, a man who committed forgery on the bank of England in conjunction with three or four other men, and he was sentenced to imprisonment for life; he was located in the punishment cell opposite my location in the penal cells at Dartmoor. On Good Friday 1877, when I was standing at my door to go out to service in the morning, the deputy governor, Captain Hume, was making the rounds of the punishment cells, and he came to Bidwell’s cell, which was immediately opposite mine on the bottom landing, and I heard the prisoner ask for a drink of water, and the officer told Captain Hume that the water was inside the cell door. The prisoner’s bed was behind. I overheard Captain Hume say that there was water inside the cell door if he wished to drink it. Captain Hume was transferred to Portland Prison before I left Dartmoor.

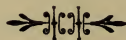
Did you hear that the doctor was of opinion that the prisoner Bidwell was feigning paralysis? I have heard so, and as a proof that he held that opinion, this man Bidwell has been in the habit of being taken down

to the punishment cells once a year, and being left there for a fortnight or three weeks under punishment, to test whether he is really paralysed or not ; and the result is that he has to be carried up to the infirmary again ; and he has not walked, or done anything to prove that he is feigning beyond a general suspicion, since he has been in prison ; but there is a suspicion on the part of the doctor that he is feigning, or he would not be punished in that manner. I have seen that man twice in the punishment cell, and I have heard them drag him along the floor from the governor's office.

That was some time ago, I apprehend?—What is stated in the pamphlet relates to Good Friday, 1877.

Is there any further statement which you would wish to add to your evidence ? I do not see that there is anything further. I have submitted all that I have to say in the statement which I sent to the Commission in April last.

The witness then withdrew.



EXTRACTS

FROM THE SPEECHES OF

MICHAEL DAVITT,

In which he strongly condemns the Committing
of Outrages.

Surely, then, any Act which can imperil, not only the success, but the very existence of such a movement, should be condemned as an attack upon the cause of five millions of the Irish people. No individual should place his personal wrongs or grievances above those of his people and country at large, and seek a revengeful mode of redress, which may tend to prolong the wrongs of his class without effectively remedying those which he feels himself. Landlord-shooting, to say the least, is unnecessary, except as a means for prolonging the system which alone is responsible for the acts of its twin victims—tenants driven to despair and revenge, and landlord or agent shot or disabled.—Speech at the weekly meeting of the Land League, Tuesday, 23rd November, 1880.

Mr. Davitt wished to mention one or two matters. Several letters had been received complaining that men were subject to persecution because they are not members of the Land League. Now, he wished to say, speaking on behalf of the executive, that they did not want anyone inside the League who did not join the move-

ment convinced that it was a just movement, and one for the benefit of the country. The executive had no sympathy whatever with any effort to coerce any person in Ireland into joining a branch of the Land League. He wished that to be clearly known.—League Meeting, 29th December, 1880.

Mr. Davitt would desire to repeat again, through the columns of the press, what he and Mr. Brennan declared last night to ten thousand people outside the League Rooms, in Sackville Street. That was, that while they abused coercion, they should not be guilty of coercion themselves. The Land League did not desire to intimidate anyone who honestly disagreed with them. He hoped that the two jurors alluded to would not be subjected to any injury for having done their conscientious duty.—Meeting of the Land League, Tuesday, 25th January, 1881.

In conclusion, I would say, if you only rally round those singled out for punishment, and see that their families or their business do not suffer, you will give courage to those who are representing you inside the prison walls to-day, and you will (acting on the advice given by Mr. Parnell and the other leaders of the Land League movement, to abstain from acts that would not be considered within the law) vindicate the character of the Irish people from aspersions—the foul and lying aspersions—cast on them. Continue to abstain from all acts of violence as in the past, and the shameless slanderers of our national character and our grand old country, will be brought before the bar of public opinion and convicted of the foul and detestable lies they have heaped upon us in their press. We have the honour of our country at stake, and we should be able to say to the new Ireland beyond the Atlantic that we know our cause is a just one, and that we are struggling for a great moral principle, and that we will allow nothing on the

part of our passions or the impediments of our enemies to stand in the way of our success.—Speech at Tralee, Sunday, 9th January, 1881.

Despite the efforts that are being made to drive you from a stern, passive attitude into loose and violent action, adhere to the programme of the League, and repel every incentive to OUTRAGE, and every inducement to give your enemies the opportunity of wiping out this movement in the blood of Irishmen. . . . Glorious, indeed, will be our victory, and high in the estimation of mankind will our grand old fatherland stand, if we can so curb our passions and control our acts in this struggle for free land as to march to success through provocation and danger, WITHOUT RESORTING TO THE WILD JUSTICE OF REVENGE, or being guilty of anything which would sully the character of a brave and Christian people.—Speech at Kilbrin, on Sunday, 14th January, 1881.

I have only, in conclusion, to ask you to follow the admirable advice given by our reverend chairman—not to allow yourselves to be forced into the commission of any crime or any offence which would bring a stain upon the national character, or give an argument or a weapon to your enemy to be used against you. Let Europe, let America see by your dignified, determined conduct that the charges which are now paraded before the House of Commons have existed mainly in the imagination of that very imaginative force, the Irish Constabulary, and find a place only in the policy of Mr. Outrage Forster. Do this, and above all stand united, shoulder to shoulder, in the future, as you have been in the past. Don't be frightened from your land meetings, don't be intimidated by landlords who now fancy that they are going to get back from the Government the absolute power they wielded in the past. Don't be tempted into breaking that cardinal rule of the Irish

Land League not to take a farm out of which another has been evicted for the non-payment of an unjust rent—not to purchase any goods stolen by Irish landlordism from impoverished tenant-farmers. If you do this, if you act on this advice, you will find in a very short time that the English Government will give over manufacturing both outrages and coercion bills, and instead of being on the point of suppressing the Irish Members in Parliament they will have to acknowledge the justice of their claim on behalf of the Irish people—the justice of the claim of the Irish people to have restored to Ireland the soil which God intended for its people, and every blessing which he intended to be their privilege.—Speech of Mr. Davitt at Borris on Sunday, 30th Jan., 1881.

That magnificent gathering was the answer which the manhood of Mayo returned to the slanders heaped on that county. He had the honour of attending most of the meetings held in Mayo since the inauguration of that movement; and he hurled back with scorn and contempt the charge that he had used words which had, directly or indirectly, encouraged the commission of acts of violence. He had always insisted that the man who would commit offence in connection with that movement would injure the cause he thought of advocating.—Speech at Ballinrobe on Oct. 5th, 1879.

He said he understood the temper of the American people pretty well, and he believed that the late acts of agrarian violence in Ireland had done the Land League cause much harm in the United States. While he knew that the Land League was not, and could not be, held responsible in any way for those outrages, he would urge upon its members to use every effort to prevent a recurrence of them, if they wished to retain American sympathy.—Speech at Mallow, 22nd Nov., 1880.

Extract from a circular memorandum of instructions issued by the League in December 1880, to organisers and officers of branches, and written by Mr. Davitt :—" In speaking of injuries inflicted upon dumb animals we cannot for a single instant believe either the numerous reports of these monstrous outrages which the landlord or tenants are publishing, or that a single man within the ranks of our organisation would be guilty of participating in the few cases which, we are sorry to say, have been authenticated. No injustice in the power of Irish landlordism to perpetrate upon our people could justify in the least degree the unfeeling brutality which inflicts injuries or suffering upon harmless and defenceless animals, in revenge for the wrongs committed by their owners." In about six weeks after the issue of these instructions—namely, on the 3rd February, 1881—Mr. Davitt was re-arrested and sent back to penal servitude.

Mr. Davitt and the Coercion Bill.

A silly rumour, originating in the *London Standard*, that Mr. Davitt would leave Ireland as soon as the Coercion Bill was passed, having been copied into the *Freeman*, that gentleman wrote as follows to the latter journal :

"The Irish National Land League,
"Offices : 39, Upper Sackville Street, Dublin.
"January 29th.

"DEAR SIR,—Permit me to say, in reply to the rumour which was copied into this day's *Freeman* from the *London Standard*, that there is no truth in the statement that I propose leaving Ireland when the 'Protection of Life and Property Bill' is passed. Until I am conscious of having committed some act which would discredit me with the people of Ireland, or show me guilty of a crime against the public weal, I intend to remain in the country, and accept the consequences of my words and acts in the Land League movement.—Yours truly,

"MICHAEL DAVITT."

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